Supreme Court, U. S.
FILED
DEC 11 1975
MICHAEL RODAK, JR., CLERK

APPENDIX

In the Supreme Court of the United States

OCTOBER TERM, 1975

No. 75-292

THE SERBIAN EASTERN ORTHODOX DIOCESE FOR THE UNITED STATES OF AMERICA AND CANADA,
a Religious Body, et al.,

Petitioners,

vs.

DIONISIJE MILIVOJEVICH, et al.,

Respondents.

Volume III—Pages 901 to 1398
Exhibits

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT.

Petition for Writ of Certiorari
Filed August 26, 1975
Certiorari Granted October 20, 1975

INDEX

PAGE

Relevant Docket Entries in the Proceedings Below 1

PRETRIAL PLEADINGS, OPINIONS AND ORDERS

Complaint for Declaratory Judgment and Injunctive Relief (filed July 26, 1963) 6

Opinion of Illinois Appellate Court, April 7, 1966; Supplemental Opinion, September 7, 1966 10

Second Amended and Supplemental Complaint and exhibits thereto 31

Interim Opinion Re: Motion to Dismiss Second Amended and Supplemental Complaint 61

Order (filed Sept. 11, 1967) 65

Answer to Second Amended and Supplemental Complaint 68

Counterclaim and exhibits thereto 73

Second Interim Opinion Re: (A) Motion by Defendants to Designate Parties; and (B) Motion by Plaintiffs to Strike Defendants' Answer and Counterclaim 86

Order entered June 24, 1968 91

Further Answer to Second Amended and Supplemental Complaint 94

Answer to Counterclaim 103

Reply to Defendants' Answer and Supplemental Answer to the Second Amended and Supplemental Complaint 108

Reply to Affirmative Defense 109

PAGE

TESTIMONY (ABSTRACTED AND VERBATIM)

Brkich, Milan—
- Direct Examination 239
- Cross Examination 258
- Redirect Examination 269
- Recross Examination 271
- Direct Examination 504
- Cross Examination 508
- Direct Examination 692

Damaskin, Metropolitan (Deposition)—
- Direct Examination 184
- Cross Examination 192
- Redirect Examination 196

Grunchich, Milan—
- Direct Examination 370
- Cross Examination 372

Ilicich, Nikanor—
- Direct Examination 163
- Cross Examination 178
- Redirect Examination 184

Ivanovich, Alexander—
- Direct Examination 381, 400
- Cross Examination 402, 403
- Redirect Examination 405
- Recross Examination 406

Kostich, Visarion—
- Direct Examination 196
- Cross Examination 220
- Redirect Examination 236
- Direct Examination 677
- Cross Examination 683
- Redirect Examination 691

PAGE

Kovacevich, Irinej—
- Direct Examination 550, 576
- Cross Examination 583
- Redirect Examination 595
- Direct Examination 712

Meyendorff, John—
- Direct Examination 345
- Cross Examination 367
- Cross Examination 385
- Redirect Examination 396

Milivojevich, Dionisije—
- Direct Examination 438
- Cross Examination 446
- Direct Examination 448
- Direct Examination 466
- Direct Examination 513
- Direct Examination 562
- Cross Examination 597
- Redirect Examination 642
- Direct Examination 713
- Cross Examination 717

Mladenovich, Mladen—
- Direct Examination 110
- Cross Examination 143
- Redirect Examination 161

Neff, Owen C.—
- Direct Examination 718
- Cross Examination 719

PAGE

Ocokoljich, Firmilian—
Direct Examination 300
Cross Examination 310
Direct Examination 310, 311
Cross Examination 324
Direct Examination 325
Cross Examination 326
Direct Examination 326
Cross Examination 341
Cross Examination 373
Redirect Examination 375
Examination Under Sec. 60 of the Illinois Civil Practice Act, Ch. 110, Ill. Rev. Stat. 523
Cross Examination 548
Redirect Examination 549
Examination Under Sec. 60 549
Direct Examination 710
Cross Examination 712

Paljich, Nikanor—
Direct Examination 456
Cross Examination 458

Radakovich, Milan—
Direct Examination 296
Cross Examination 298
Redirect Examination 299
Recross Examination 299
Direct Examination 693
Cross Examination 694

PAGE

Shoukletovich, Doushan J.—
Direct Examination 271
Cross Examination 283
Redirect Examination 294
Recross Examination 295
Redirect Examination 295

Stefanovic, Zivan—
Direct Examination 406
Cross Examination 432
Cross Examination 454
Redirect Examination 459

Stepanovich, Nick—
Direct Examination 644
Direct Examination 655
Examination Under Sec. 60 659

Tobias, Robert—
Direct Examination 694
Cross Examination 700
Redirect Examination 709

Vasilije, Bishop of Zhica—
Direct Examination 660
Cross Examination 667
Redirect Examination 675
Recross Examination 677

Vuyovich, Robert—
Direct Examination 376
Cross Examination 380

Vol. I — pp. 1 to 356; Vol. II — pp. 357 to 719; Vol. III — pp. 901 to 1398; Vol. IV — pp. 1399 to 1833

PAGE

PLAINTIFFS' EXHIBITS

Plaintiffs' Exhibit No.		
1	5/10/63 Minutes of Holy Synod re Suspension of Dionisije	901*
2	5/10/63 Minutes of Holy Assembly of Bishops re Accusations against Dionisije	902
2B	Corrected Translation of PX 2	904
3	5/10/63 Letter from Synod to Firmilian re Suspension of Dionisije	905
3D	5/10/63 Letter from Synod to Dionisije re His Suspension	906
4	5/10/63 Minutes of Holy Assembly of Bishops re Reorganization	908
4C	2/13/62 Letter of Dionisije to Synod re Metropolia	911
5A	5/17/63 Letter from Synod to Firmilian re Reorganization	913
7	5/17/63 Letter from Synod to Firmilian re Reorganization	915
7D	5/17/63 Letter from Synod to Dionisije re Reorganization	917
8	7/27/63 Decision of Holy Assembly to Remove Dionisije	919
9	7/29/63 Letter from Synod to Firmilian re Removal	923

* Note: The page numbers from 720 to 900 were omitted in printing.

PAGE

Plaintiffs' Exhibit No.		
10	7/29/63 Letter from Synod to Firmilian re His Election as Bishop	924
11	7/29/63 Letter from Synod to Dionisije re His Removal	925
12	7/29/63 Letter from Synod to Gregory Udicki re His Election	926
13	6/13/63 Letter from Synod to Gregory Udicki	927
14	6/13/63 Letter from Synod to Gregory Udicki	928
15	6/9/63 Letter to Synod from Plenum re 5/10/63 Decisions of Hierarchy	929
16	Synod's Indictment of Dionisije	930
17	7/6/63 Communique to Diocese from Chrysostom and Visarion	981
18	11/12/63 Synod's confirmation of 5/10/63 Decision	983
19	11/18/63 Letter from Dionisije to Synod re Indictment	985
20	12/10/63 Decision of Synod	987
21	3/5/64 Judgment of Holy Assembly against Dionisije	989
22	3/16/64 Letter from Patriarch to Firmilian re Dionisije's Defrockment	1009
23	6/5/67 Proclamation by Patriarch re Bishop Sava	1010
24	9/13/21 Decision of Holy Assembly to Send Delegation to America	1011

PAGE

PLAINTIFFS' EXHIBIT NO.

25 9/13/21 Decision of Holy Assembly to Establish American-Canadian Diocese 1012

26 12/8/22 Minutes of Holy Assembly re Election of Mardary as Administrator 1015

27 11/22/25 Minutes of Holy Assembly re Election of Mardary as Bishop 1016

28 10/25/28 Minutes of Holy Assembly re Diocesan Constitution 1017

30 1939 Constitution of American-Canadian Diocese 1019

31 5/24/39 Minutes of Holy Assembly re Amendments to Diocesan Constitution 1071

32 12/14/35 Minutes of Holy Assembly re Death of Mardary 1073

33 6/21/36 Minutes of Holy Assembly re Administration of Diocese 1074

34 6/22/38 Minutes of Holy Assembly re Election of Damaskin as Bishop 1075

35 12/8/39 Minutes of Holy Assembly re Election of Dionisije as Bishop 1077

36 12/8/39 Notice of Dionisije's Election 1078

37 8/29/38 Dionisije's Bishop's Oath 1078

38 1951 Minutes of Holy Assembly re Report of Dionisije 1090

40 1951 Minutes of Holy Assembly re Letter of Dionisije 1091

PAGE

PLAINTIFFS' EXHIBIT NO.

41 5/16/52 Minutes of Holy Assembly re Letters from Bishops 1092

42 12/9/56 Letter of Dionisije to Patriarch re Diocesan Regulations 1094

43 9/9/58 Minutes of Holy Assembly re Letter of Dionisije 1096

45 5/19/53 Minutes of Holy Assembly re Letter of Dionisije 1096

46 6/7/58 Decision of Holy Assembly re Diocesan Rules 1098

47 7/15/58 Minutes of Holy Assembly re Letter of Dionisije 1099

48 6/9/59 Minutes of Holy Assembly re Letter of Dionisije 1100

49 4/9/60 Letter of Dionisije to Synod re By-laws of Clergy Association 1102

50 6/9/60 Minutes of Holy Assembly re Letter of Dionisije 1103

53 1/24/63 Report of Damaskin Delegation re Complaints against Dionisije 1105

54B 5/8/63 Minutes of Holy Assembly re Letter of Dionisije 1107

55 8/10/63 Letter from Synod to Firmilian re Message of Holy Assembly 1108

55B 7/27/63 Message of Holy Assembly 1109

56 6/9/62 Minutes of Holy Assembly re Letter of Dionisije 1113

PAGE

PLAINTIFFS' EXHIBIT NO.

57 6/14/62 Minutes of Holy Assembly re Report of Dionisije 1115

58 5/25/62 Letter of Dionisije to Holy Assembly 1118

59 9/3/63 Letter of Synod to Dionisije re Church-Peoples' Assembly 1120

61 5/20/55 Letter of Synod to Dionisije re Appointment of Firmilian as Deputy 1122

67 7/13/66 Letter of Patriarchate of Moscow to Serbian Patriarch re Letter of Dionisije 1123

67A 7/13/66 Letter of Patriarchate of Moscow to Dionisije 1124

67G 3/2/66 Letter of Dionisije to Russian Patriarch 1125

67H 7/13/66 Letter of Patriarchate of Moscow to Dionisije 1134

68 1957 Constitution of Serbian Orthodox Church ..1136

69 1961 Penal Code of Serbian Orthodox Church 1243

71 6/3/63 Letter to Synod from Dionisije re 5/10/63 Decisions of Hierarchy 1271

72 6/12/62 Minutes of Holy Assembly re Proposal of Dionisije 1278

73 6/12/62 Minutes of Holy Assembly re Appointment of Damaskin Delegation 1279

74 5/25/63 Circular Letter of Dionisije re 5/10/63 Decisions of Hierarchy 1281

75 6/6/63 Letter of Dionisije to Plenum re 5/10/63 Decisions of Hierarchy 1289

PAGE

PLAINTIFFS' EXHIBIT NO.

76 6/3/63 Circular Letter of Dionisije re 5/10/63 Decisions of Hierarchy 1291

77 6/12/63 Proclamation of Dionisije re 5/10/63 Decisions of Hierarchy 1300

78 Vidovdan, 1963 Proclamation of Dionisije re Investigating Commission 1311

79 Vidovdan, 1963 Proclamation of Dionisije 1313

80 6/7/63 Letter of Dionisije to Firmilian re Removal of Firmilian as Deputy 1321

81 6/7/63 Letter of Dionisije to Mijatovich and Djurich re their Removal from Diocesan Council 1323

82 7/5/63 Minutes of Investigating Commission Meeting with Dionisije 1324

84 Dionisije's Book "Violations" (1965) (Excerpts: Resolutions of Diocesan Assemblies of 1948, 1952, 1956, 1960) 1325

84B 6/3/63 Letter of Dionisije to Synod 1346

84I 2/13/62 Report of Dionisije to Holy Synod re Diocesan Delegation 1353

84L 6/13/63 Letter of Holy Synod to Dionisije re Investigating Commission 1355

84S 11/18/63 Letter of Dionisije to Holy Synod re Indictment 1356

84T 11/18/63 Power of Authorization Executed by Dionisije 1358

PAGE

PLAINTIFFS' EXHIBIT No.

84Q 7/29/63 Letter from Patriarch to Dionisije re Removal of Dionisije 1359

84W 1/25/64 Letter of Dionisije to Holy Synod re Indictment 1360

84X 11/14/63 Decision of 10th Church-National Asesmbly re Autonomy of Diocese 1365

84CC Nov. 1963 Proclamation of 10th Church-National Assembly 1369

85 4/17/63 Report of Diocesan Executive Board re Unity with Church in Yugoslavia 1375

86 5/9/63 Resolution of Clergy Association re Unity with Church in Yugoslavia 1378

87 6/7/63 Letter of Dionisije to Brkich Removing Brkich as Episcopal Vicar 1382

88 7/15/63 Proclamation of Dionisije 1383

91 Certificate of Incorporation of Serbian Eastern Orthodox Diocese Council (1927) 1394

92 Certificate of Incorporation of Illinois Religious Corporation (1935) 1399

93 Certificate of Incorporation of New York Religious Corporation (1942) 1403

96 3/22/65 Decision of Diocesan Ecclesiastical Court re Non-followers of Dionisije 1404

98 9/3/68 Letter of Dionisije to Attorney for Dushan Shukletovich re Pension 1407

101 4/6/61 Letter of Dionisije to Doushan Shouletovich re Pension 1408

PAGE

PLAINTIFFS' EXHIBIT No.

106 6/6/63 Minutes of Diocesan Plenum re 5/10/63 Decision of Hierarchy 1409

108 1962 Articles of Incorporation of California Religious Corporation 1418

109 2/11/64 Decision of Diocesan Court re Use of Cemetery 1424

113A 11/4/63 Letter of Dionisije to Vladimir Mrvichin, Dismissing Mrvichin as Vicar 1425

115 11/23/62 Minutes of Diocesan Executive Board ..1426

117 6/30/62 Letter of Dionisije to Clergy re Church Unity 1439

120 5/30/63 Letter of Dionisije to Firmilian re 5/10/63 Decisions of Hierarchy 1440

121 1963 Letter of Firmilian to Uros Seferovic re Sabor 1442

123A 6/29/63 Letter of Dionisije to Simeon Grozdanovich re Reception of Investigating Commission 1443

126 6/13/63 Letter of Holy Synod to Firmilian 1444

128 10/18/63 Letter of Holy Synod to Firmilian re Effect of Reorganization 1446

129 Certificate of Incorporation of Monastery Corporation (1945) 1447

130 2/4/24 Deed to Mardary 1450

131 11/9/27 Deed from Mardary to Diocese Council 1452

PAGE

PLAINTIFFS' EXHIBIT No.

132 9/4/41 Deed from Diocese Council to Illinois Religious Corporation 1457

136 4/12/45 Deed from Illinois Religious Corporation to Monastery Corporation 1459

150 4/22/69 Deed from Illinois Religious Corporation to Pennsylvania Religious Corp. 1463

151A 7/24/63 Resolution of Diocesan Executive Committee re Actions of New Bishops 1466

152 6/12/63 Letter of Diocesan Plenum to Clergy re Church National Assembly 1474

154 By-laws of Diocesan Pension Fund (effective 1/1/53) 1477

195A 1/24/63 Report of Investigating Commission 1482

197A 8/10/63 Report of Investigating Commission 1535

217 Testimony of Dionisije in *Rumanian Episcopate* v. *Trutza* (1953) 1544

223 4/15/57 Letter of Dionisije to Clergy re Suspension of Antonije Abramovich 1556

229 11/14/63 Resolution of Diocesan Council to Amend Diocesan Constitution 1558

PAGE

DEFENDANTS' EXHIBITS

DEFENDANTS' EXHIBIT No.

29 Confirmation of Dionisije as Bishop of American Diocese by King Peter 1570

29C Confirmation of Dionisije as Vicar Bishop by King Peter 1572

30 1913 Minutes of Serbian Orthodox Priests' & People's Convention 1573

31 1916 Minutes of Serbian Orthodox Priests' Assembly 1588

32 1917 Release of Father Mardary by Synod 1598

33 1917 Call to American Serbs to Organize as Independent Serbian Diocese 1598

35 1923 Notice to American Serbs of Mardary's Election as Administrator 1600

36 1922 Letter to Mardary from Bishop Nikolaj re Duties as Administrator 1601

37 2/21/23 Minutes of Serbian-American Priests Conference 1602

49 7/21/27 Call for Church National Assembly 1605

51 Portions of the 1928 Constitution of Serbian Eastern Orthodox Diocese for the United States of America & Canada 1607

61 11/27/62 Unsigned Charges against Dionisije 1612

64 4/25/26 Order of King Appointing Mardary Bishop of American-Canadian Diocese 1620

PAGE

DEFENDANTS' EXHIBIT NO.

77 6/25/38 Letter of Patriarchate to Diocesan Court re Release of Irinej as Administrator and Election of Damaskin as Bishop 1622

78 6/23/36 Letter of Patriarchate to Diocesan Court re Appointment of Irinej as Administrator 1623

81 Sept. 1960, Resolution of the IXth Diocesan Church-Peoples Assembly 1624

99 11/7/46 Decision of Holy Synod re Appeal of Nikola Drenovac from Diocesan Judgment 1626

101 11/7/46 Decision of Holy Synod re Appeal of Strahinja Maletich from Diocesan Judgment 1629

113 5/3/50 Decision of Holy Synod re Appeal of Vojislav Gacinovich from Diocesan Judgment ..1632

116 8/16/62 Letter of Damaskin to Dionisije re Delegation 1634

142 4/20/62 Letter of Synod to Dionisije re Meeting of Holy Assembly 1634

143 3/2/62 Letter of Synod to Dionisije re Meeting of Holy Assembly 1635

145 3/27/62 Letter of Synod to Dionisije re Diocesan Delegation 1636

149 5/17/63 Letter of Synod to Dionisije re Reorganization of Diocese 1637

150 7/11/63 Letter of Dionisije to Synod re Investigating Commission 1640

151 7/13/63 Letter of Dionisije to Investigating Commission 1645

PAGE

PLAINTIFFS' EXHIBIT NO.

152 7/20/63 Report of Investigation Commission to Holy Synod 1646

193 5/11/63 Minutes of Holy Assembly of Bishops re Election of Lastavica as Bishop 1650

194 5/17/63 Minutes of Holy Synod of Bishops re Reorganization of Diocese 1656

198 6/10/63 Minutes of Meeting in St. Sava Church, Pittsburgh, Pa. 1661

218 12/23/62 Letter of Dionisije to Synod re Visit of Delegation 1674

220 10/1/45 Article from Serbian Orthodox Church Herald 1695

221 9/4/41 Consent of Dionisije to Transfer of Land from Diocese Council to Illinois Religious Corporation 1698

240 August 1963 Proclamation of 10th Church National Assembly 1703

241 8/10/63 Report of Investigating Commission 1719

243 12/10/63 Minutes of Holy Synod 1727

249 7/27/63 Minutes of Holy Assembly of Bishops 1735

250 7/26/63 Minutes of Holy Assembly of Bishops 1746

254 3/5/64 Minutes of Holy Assembly re Defrockment of Dionisije 1754

255 9/13/21 Minutes of Holy Assembly of Bishops re Establishment of American Diocese 1762

258 7/5/63 Letter of Dionisije to Hrizostom and Visarion re Visit of Investigating Commission 1765

PAGE

POST-TRIAL MOTIONS
OPINIONS AND ORDERS

Memorandum Decision of Circuit Court 1767

Final Decree (dated April 30, 1973) 1780

Defendants' Motion to Reconsider (filed May 18, 1973) 1792

Plaintiffs' Motion for Possession (filed May 24, 1973) 1797

Order (filed May 30, 1973) 1798

Supersedeas Order (filed July 23, 1973) 1799

Opinion of the Supreme Court of Illinois 1800

In the
Supreme Court of the United States

OCTOBER TERM, 1975

No. 75-292

THE SERBIAN EASTERN ORTHODOX DIOCESE FOR THE UNITED STATES OF AMERICA AND CANADA,
a Religious Body, et al.,

Petitioners,

vs.

DIONISIJE MILIVOJEVICH, et al.,

Respondents.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT.

EXHIBITS*

*Most of the exhibits herein are translations of documents originally written in the Old Church Slavonic language, with the Cyrillic alphabet. These translations contain numerous errors in English spelling, capitalization, punctuation, and grammar. To make these exhibits more legible to the reviewing court, both Petitioners and Respondents, in printing the exhibits, have found it desirable to correct some of the translators' errors without indicating the corrections.

PLAINTIFF'S EXHIBITS

PLAINTIFF'S EXHIBIT 1

TRANSLATION
EXCERPT

From the Minutes of the meeting of the Holy Synod of Bishops for 1963.

In these Minutes it is recorded that a meeting of the Holy Synod of Bishops was held on May 10th, 1963 in the Patriarcal palace in Belgrade.

On pages 119 and 120 of these Minutes the following is also recorded:

"Minutes No. 188

Synodal No. 1664

The Holy Assembly of Bishops by its decision Holy Assembly No. 20 and 21, of May 10th, 1963, submits the subject of accusations against His Grace Bishop Dionisije with the recommendation, that proceedings be initiated against His Grace in accordance with article 219 and 220 of the Constitution of the Serbian Orthodox Church and article 67 and 90 of the Rules and Regulations (Proceedures) for Ecclesiastical Courts of the Serbian Orthodox Church (Penal Code).

Upon review the Holy Synod of Bishops decides:

In compliance with the recomendation of the Holy Assembly of Bishops Holy Assembly No. 20 and 21 of May 10th, 1963, the Holy Synod on the basis of articels 67 and 90 of the Rules and Proceedures for Ecclesiastical Courts of the Serbain Orthodox Church orders the initiation of proceedures against His Grace Bishop Dionisije, and on the basis of articles 219 and 220 of the Constitution of the Serbian Orthodox Church suspends him from sacerdotal functions, with a lessening of his salary to one half, and relieves him

from governing the Diocese, until the charges against him are finally investigted and adjudged.

Archimandrite Firmilian Ocokoljich, the episcopal deputy to Bishop Dionisije and pastor in Pittsburgh is appointed as Administrator of the American-Canadian Diocese.

In the same Minutes on page 120 it can be seen that the foregoing cited decision, after reading, was personally signed by:

The President of the Holy Synod of Bishops the Serbian Patriarch Gherman

Members: Metropolitan of Zagreb DAMASKIN
Bishop of Shumadija VALERIJAN
Bishop of Branichevo HRIZOSTOM
Bishop of Zahum-Hercegovina VLADISLAV

That this excerpt from the indicated minutes is faithful to its original is certified and attested unto by

Supreme Secretary
Holy Synod of Bishops
Mladen Mladenovich (signature)
(SEAL)

November 9, 1968
Belgrade
The Patriarchate

PLAINTIFF'S EXHIBIT 2
TRANSLATION
EXCERPT

From the Minutes of the meeting of the Holy Assembly of Bishops for 1963.

In these Minutes it is recorded that a meeting of the Holy Assembly of Bishops was held on May 10th (April 27) 1963 in the Patriarchal palace in Belgrade.

In the Minutes on pages 107 and 108, among other things, this also is recorded:

"Then His Holiness the Patriarch moved that the second part of the same subject be dealt with: The Accusations against His Grace Bishop Dionisije.

In behalf of the Legislative committee His Grace Bishop Hrizostom of Branichevo reported.

After the report, the Holy Assembly of Bishops unanimously renders the following decision:

The subject of accusations against His Grace the Bishop of America-Canada Dionisije be forwarded to the Holy Synod of Bishops with the recommendation that it act in accordance with Articles 67 and 90 of the Rules and Proceedures for Ecclesiastical Courts of the Serbian Orthodox Church."

In the same Minutes on pages 108 and 109 it is recorded that this decision upon being read was personally signed by:

President of the Holy Assembly of Bishops the Serbian Patriarch GHERMAN

Members:
Metropolitan of Zegreb DAMASKIN
Metropolitan of Dabro-Bosnia NEKTARIJE
Metropolitan of Crna Gora-Primorje DANILO
Bisohp of Timok EMILIAN
BISHOP of NIS JOVAN
Bishop of Shumadija VALERIJAN
Bishop of Srem MAKARIJE
Bishop of Backa NIKANOR
Bishop of Zhica VASILIJE
Bishop of Branichevo HRIZOSTOM
Bishop of Banat VISARION
Bishop of Slavonia EMILIJAN
Bishop of Zvornik-Tuzla LONGIN
Bishop of Gornji Karlovac SIMEON
Bishop of Zahum-Hercegovina VLADISLAV
Bishop of Ras-Prizren PAVLE
Bishop of Banjaluka ANDREJ
Bishop of Dalmatia STEFAN
Bishop of Sabac-Valjevo JOVAN

That is excerpt from the indicated Minutes is faithful to its original is certified and attested unto by

November 9th, 1968 Supreme Secretary
Belgrade Mladen Mladenovich (signature)
The Patriarchate (SEAL)

PLAINTIFF'S EXHIBIT 2B

TRANSLATION—CORRECTION

The following is a correction of an inadvertent ommission of a sentence which appears in the original Serbian text of document identified as PLAINTIFF'S EXHIBIT 2a FOR IDENTIFICATION.

The corrected translated text of the seventh paragraph, indented, should read: (in Plaintiff's Exhibit 2)

> The subject of accusations against His Grace the Bishop of America-Canada Dionisije be forwarded to the Holy Synod of Bishops with the recommendation that it act in accordance with Art. 219 and 220 of the Constitution of the Serbian Orthodox Church, and Art. 67 and 90 of the Rules and Proceedures for Ecclesiastical Courts of the Serbian Orthodox Church.
>
> */s/ Very Rev. Velimir P. Kovacevich*
> Very Rev. Velimir P. Kovacevich
> 9815 Commercial Ave., Chicago, Ill.

PLAINTIFF'S EXHIBIT 3

The Holy Episcopal Synod
of the
Serbian Orthodox Church
No. 1664/zap. 188
May 10, 1963
Belgrade

To the Very Reverend
Dr. Firmilian Ocokoljich, Administrator
of the Mid-Western American Diocese
Pittsburgh

The Holy Episcopal Synod, under the above number and date, informed His Grace Bishop Dionisije of the following:

"Your Grace,

The Holy Episcopal Council in its meeting of May 10, 1963, examined the subject of the charges submitted against Your Grace, and concerning the same, under AS No. 20 and 21/zap.77 of 1963, brought this decision:

"The subject of charges against His Grace The Bishop of America and Canada, Dionisije, is to be submitted to the Holy Episcopal Synod with the recommendation that it take action in accordance with Article 219 and 220, Constitution of the Serbian Orthodox Church, and Section 67 and 90, Code and Regulations for Ecclesiastical Courts of the Serbian Orthodox Church (Penal Code)."

"Relative to this the Holy Episcopal Synod in its meeting under the above number and date, brought this decision:

"Executing the recommendation of the Holy Episcopal Council AS No. 20 and 21 of May 10, 1963, the Holy Episcopal Synod on the basis of Section 67 and 90 and Regulations for the Ecclesiastical Courts of the Serbian Orthodox Church, orders the commencement of arraignment

proceedings against His Grace Bishop Dionisije and in accord with Article 219 and 220 Constitution of the Serbian Orthodox Church suspends him from priestly functions, decreases his remuneration to one half and relieves him from diocesan government till his guilt is conclusively investigated and judged."

We respectfully inform Your Grace of the above and request that you take appropriate steps to relinquish the government of the diocese in your charge to the appointed administrator, the Very Reverend Archimandrite Dr. Firmilian Ocokoljich, your Episcopal Deputy and pastor of the Serbian Orthodox Church in Pittsburgh till your guilt is conclusively investigated and judged."

The above is sent to you for your information.

For the President of the
Holy Episcopal Synod
Member, Bishop of Timok
(Signed) EMILIJAN

EXHIBIT A
PLAINTIFF'S EXHIBIT 3D

Holy Synod of Bishops of
the Serbian Orthodox Church
No. 1664/minutes 188
May 10, 1963
In Belgrade
Sin No. 1664/min.
188 May 10, 1963

YOUR GRACE,

Holy Assembly of Bishops at their session of May 10, 1963, has considered the matter of the charges submitted against your Grace, and in regard to those under AS No. 20 and 21/min 77 from 1963 has brought this decision:

"The matter of the charges against His Grace American and Canadian Bishop Sir Dionisy to be forward to the Holy Synod of Bishops with a recommendation to follow up according to the Articles 219 and 220 of the Constitution of the Serbian Orthodox Church and of the Articles 67 and 90 of the regulations and procedures for the church courts of the Serbian Orthodox Church (the penal regulations)".

In connection with that Holy Synod of Bishops at its session under the above reference number and date has brought the following decision:

"In the execution of the recommendation of the Holy Assembly of Bishops AS No. 20 and 21 of May 10, 1963, Holy Synod of Bishops upon the ground of Articles 67 and 90 of the regulations and procedures for the church courts of the Serbian Orthodox Church, orders the initiation of procedure against His Grace Bishop Dionisy and upon the ground of Articles 219 and 220 of the Constitution of the Serbian Orthodox Church removes him from the sacramental officiation with the reduction to one-half of his remuneration and removes him from the administration of the dioceses till his guilt be finally investigated and adjudged."

In regard to the above it is our honor to inform Your Grace with a petition for your knowledge and your direction, so that the duty of the administration of the diocese entrusted to you you should hand over to the appointed administrator the Venerable Archamandrite Doctor Firmilian Ocokoljich, your Episcopal Deputy and Pastor of the Serbian Orthodox Church in Pittsburgh till your guilt is finally investigated and adjudged. Your Grace's Brother in Christ,

For the President
of the Holy Synod of Bishops
Member, Bishop of TIMOK
(SEAL) Emilian

1. To His Grace the Bishop
   of Midwestern American Diocese
2. Sir Dionisy
3. Libertyville

PLAINTIFF'S EXHIBIT 4
TRANSLATION
EXCERPT

from the Minutes of the meeting of the Holy Assembly of Bishops for 1963.

In these Minutes it is recorded that a meeting of the Holy Assembly of Bishops was held on May 10th (April 27) 1963 in the Patriarchal palace in Belgrade.

In the Minutes on pages 104 and 105 under Holy Assembly No. 20 and 21/77 it is recorded that the Holy Assembly of Bishops on that day reviewed the report of the delegation concerning its visit to the American-Canadian Diocese, and among other things this also is recorded:

"After hearing the report of His Eminence Metropolitan of Zagreb Damaskin and His Grace Bishop Nikanor of Bachka of January 24th of this year, concerning the official visit which they made as representatives of the Holy Assembly of Bishops and Synod to the Serbian Orthodox Diocese of America and Canada during the period from September 13th to November 28th, 1962, as also the report of His Grace Bishop Dionisije of America-Canada, no. 164 of the 5th of January of this year on the same subject, and after studying all attached exhibtis which relate to the status of the American-Canadian Diocese and to the case of His Grace Bishop Dionisije of America-Canada, the Holy Assembly of Bishops decides:

On the request of the Church National Assembly of the American-Canadian Diocese and the American-Canadian Bishop No. 115 of the 13th of February, 1962, and No. 127 of May 25th, 1962, that due to the magnitude and expanse of this Diocese it is necessary to elect more bishops for this ecclesistical jurisdiction, the Holy Assembly of Bishops, on the basis of article 16 of the Constitution of the Serbian Orthodox

Church, establishes from the heretofore territory of the American-Canadian Diocese three dioceses, namely:

1. *The Middle Western American* Diocese, with its See in the Monastery of St. Sava in Libertyville, which His Grace Bishop Dionisije retain further,
2. *Western-American Diocese,* with its See in Los Angeles, and
3. *Middle Eastern American-Canadian Diocese,* with its See in Detroit.

Upon priorly obtained agreement of His Holiness the Serbian Patriarch Gherman, South Africa is added to the territory of the Middle Western American Diocese, while to the *Western-American* diocese are added the parishes in Central and South America, which were previously in accordance with article 55, point 12 of the Constitution of the Serbian Orthodox Church under the direct jurisdiction of His Holiness the Patriarch.

The boundary between the Middle-western American and Western-American dioceses will run along the 95th Meridian for the present.

The parishes in the states of Michigan, New York, Pennsylvania and Canada shall belong to the Middle-Eastern American-Canadian Diocese.

As soon as Bishops are appointed for the newly established dioceses, all other necessary diocesan bodies and organs shall be organized.

The final boundaries of the newly-established dioceses however, and the revision of the existing Church Constitution for this territory in conformity with the newly created situation and all other questions relative to the ecclesiastical organization of these dioceses shall be studied by the Church National Assembly with the Bishops in charge, and their motions submitted for final decision to the Holy Assembly of Bishops."

From the Minutes it is further seen (on pages 108 and 109) that this decision, upon being read, was personally signed by:

President of the Holy Assembly of Bisops the Serbian Patriarch GHERMAN

Members:

Metropolitan of Zagreb DAMASKIN
Metropolitan of Dabro-Bosnia NEKTARIJE
Metropolitan of Crna Gora-Primorje DANILO
Bishop of Timok EMILIJAN
Bishop of Nis JOVAN
Bishop of Shumadija VALERIJAN
Bishop of Srem MAKARIJE
Bishop of Bachka NIKANOR
Bishop of Zhica VASILIJE
Bishop of Branichevo HRIZOSTOM
Bishop of Banat VISARION
Bishop of Slavonija EMILIJAN
Bishop of Zvornicko-Tuzla LONGIN
Bishop of Gornji Karlovac SIMEON
Bishop of Zahum-Hercegovina VLADISLAV
Bishop of Ras-Prizren PAVLE
Bishop of Banja Luka ANDREJ
Bishop of Dalmatia STEFAN
Bishop of Sabac-Valjevo JOVAN

This this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9th 1968 — Supreme Secretary
Belgrade — Holy Synod of Bishops
The Patriarchate — Mladen Mladenovich (signature)
(SEAL)

PLAINTIFF'S EXHIBIT 4C
SERBIAN ORTHODOX DIOCESE
for the United States and Canada
Serbian Monastery of St. Sava
Libertyville, Ill.

February 13, 1962
No. 115

YOUR HOLINESS
DEAR BROTHERS IN CHRIST-BISHOPS
MEMBERS OF THE HOLY SYNOD
ASKING FOR YOUR BLESSING:

In connection with the letter of the Holy Bishop's Synod, No. 2676/Min.503 of September 13, 1961, we report:

It is true we are working to amend our Diocesan Constitution. A special committee, with its head of the Very Rev. Dushan Klipa, our Vicar-General, is entrusted to work on that problem. According to the decisions of our Church National Assemblies and in the meaning of the Constitution of the Diocese, the duty of this committee is to prepare and recommend all amendments of the Constitution of this Diocese.

The work of this Diocesan Committee is near to the end, and, when they finish all amendments and after their approval, all material will be sent to the Bishop's Council for final approval.

Because of the Church needs of our people on this continent, the opinion exists, and it is a decision of our Church National Assembly that this Diocese should be elevated to the rank of Metropoliya. In connection with our previous correspondence, this Metropoliya, besides a Metropolitan, should have two-three Vicar-Bishops—which means sufragans in America, or Vicars to us. In connection with this and in the spirit of our old Church Laws, as well as the existing laws, it sould be written in respect of

our Church authonomy and the rights of these people, having in mind that it never may happen that the Serbian people may separate from its Partiarchate, but, at the same time to be consulted in regard to the election of its Bishops. A media must be found to satisfy the rights of the Holy Bishop's Council of our Church as well as of our people here. Our efforts are only in that direction.

To resolve that problem, it is most likely that this Spring our special delegation will arrive in Belgrade with all proposals and elaborate. The delegation has to come in connection with Brethren-Bishops of the Holy Bishop's Assembly, so that, after its return to the U.S.A., the delegation may explain to our people about the possibilities, and then recommend what has to be done.

Our view is that this delegation may invite Your Holiness to visit this Diocese next year and to be present at a special meeting of our Church National Diocesan Assembly (Sabor). During the stay of Your Holiness, here, you may visit all our bigger Church congregations and serve the Holy Liturgy blessing all the faithful of this Diocese. At the same time, some material help to our Patriarchate and its mission might be collected.

In hope that this explanation is sufficient in connection with the aforesaid question of the Holy Synod, I am, remaining in brotherly love in Christ,

American and Canadian Serbian
Bishop
Dionisije

To: The Holy Bishop's Synod
of the Serbian Orthodox Church
Belgrade, Yugoslavia

PLAINTIFF'S EXHIBIT 5A

SERBIAN ORTHODOX CHURCH

No. 1725/237
17th May 1963
Beograd

The Venerable Archimandrite
Dr. Firmilian Otzokolyich
Pittsburhg

The Holy Council of Bishops of The Serbian Orthodox Church at its meeting of 10th May 1963 under ASNo. 20 and 21/77 reached this decision;

"Following petition of The Church National Council of The American-Canadian Diocese and American-Canadian Bishop No.115 of 13-11-1962, and No.127 of 25th May 1962, that, because of the great size and extent of this Diocese, it is necessary for this church jurisdiction to choose some more Bishops, The Holy Council of Bishops on the basis of art. 16 of The Constitution of The Serbian Orthodox Church, out of the present American and Canadian Diocese creates three Dioceses as follows:

1) Middle-American Diocese with residence in Monastery of St. Sava—Libertyvill, at which remains still His Grace Bishop Dionisie;

2) West-American Diocese with residence in Los Angeles, and

3) Middle-Eastern American and Canadian Diocese with residence in Detroit.

With previously obtained agreement of His Holyness Serbian Patriarch GERMAN. to the Middle-Western American Diocese is added South Africa, and to The Western American Diocese all parishes in Central and South America, which have been up to now, in accordance with art. 55 p. 12 of The Constitution of The Serbian Orthodox Church governed directly by His Holyness The Patriarch.

The boundery-line between The Middle-Western and The Western American Dioceses will follow the 95 Meridian.

To The Middle-Eastern Diocese will belong parishes in the states of Michigan, New York, Pennsylvania and Canada.

As soon as Bishops are appointed to the newly created Dioceses, there will be immediately instituted all necessary diocesalboards and bodies.

The final fixing of bounderies of the newly created Dioceses, adjustement of their Constitution to the newly created situation and all other questions of church organisation of these Dioceses, will be subject of special study of Bishops together with Church National Council and their proposals will be submitted for final decision to the Holy Council of Bishops".

In accordance with the decision of The Holy Synod of Bishops of the above stated number and date You are advised of this for Your information.

With blessing

For President of
HOLY SYNOD OF BISHOPS,
member
BISHOP OF TIMOK
EMILIAN m.p.

ADDENDUM TO PLAINTIFF'S EXHIBIT 5A
CORRECTION RESPECTING PLAINTIFF'S EXHIBIT "5A" FOR IDENTIFICATION

Plaintiff's Exhibit "5" for identification, which is in the Serbian language, contains the following, which is not included in Plaintiff's Exhibit "5A" for identification, which is the English language translation of Plaintiff's Exhibit "5" for identification:

On Plaintiff's Exhibit "5", the addressee, Archimandrite Dr. Firmilian Ocokoljich is identified as "Administrator of the Mid-West American Diocese". Plaintiff's Exhibit "5A" is accordingly amended to include the foregoing quoted words.

The identification of the signer of Plaintiff's Exhibit "5" for identification is incorrectly set forth on Plaintiff's Exhibit "5A" for identification. The signer, as well as his title, as it appears on Plaintiff's Exhibit "5", for identification reads: "President of the Holy Bishops Synod, Serbian Patriarch German".

Plaintiff's Exhibit "5A" for Identification, which is an English translation of Plaintiff's Exhibit "5", erroneously recites the identification of the signer of the letter as follows: "For President of the Holy Synod of Bishops, member, Bishop if Timok Emilian".

Plaintiff's Exhibit "5A" is accordingly amended to include the quoted language.

PLAINTIFF'S EXHIBIT 7

The Holy Episcopal Synod
of the
Serbian Orthodox Church
No. 1726/zap. 238
May 17, 1963
Belgrade

To the Very Reverend Archimandrite
Dr. Firmilian Ocokoljich
Pittsburgh

The Holy Episcopal Synod in its meeting under the above number and date brought this decision:

"Executing the decision of the Holy Episcopal Council AS No. 20 and 21/zap. 77 of May 10, 1963 concerning the founding of new dioceses in the United States of America, and the decision of the Holy Episcopal Synod Sin. No. 1664/zap. 188 of May 10, 1963 concerning the arraignment and suspension from priestly functions and diocesan government of His Grace Bishop Dionisije, the Holy Episcopal Synod on the basis of Article 70, section 21 of the Constitution of the Serbian Orthodox Church and Article 13,

Constitution of the Serbian Orthodox Diocese in the United States of America and Canada, appoints as temporay administrators:

1. For the Mid-Western American Diocese the Very Reverend Archimandrite Dr. Firmilian Ocokoljich, pastor of the Serbian Orthodox Church in Pittsburgh;

2. For the Western American Diocese the Very Reverend Archimandrite Gregory Udicki, pastor of the Serbian Orthodox Church in Youngwood;

3. For the Mid-Eastern American-Canadian Diocese the Very Reverend Proto-presbyter Stevan Lastavica, pastor of the Serbian Orthodox Church in Windsor, Canada."

You are informed of the above decision of the Holy Episcopal Synod so that you may take notice of the same, and in accordance with said decision relieve His Grace Bishop Dionisije and take charge of the Mid-Western American Diocese till further notice, informing the Holy Episcopal Synod of your action.

For the President of the
Holy Episcopal Synod
Member, Bisop of Sumadija
(Signed) VALERIJAN

ADDENDUM TO PLAINTIFF'S EXHIBIT 7
CORRECTION RESPECTING PLAINTIFF'S
EXHIBIT "7" FOR IDENTIFICATION

On Plaintiff's Exhibit "7" for identification, is contained therein the following: "To the Very Reverend Archimandrite Dr. Firmilian Ocokoljich, Pittsburgh.

The language reciting the addressee should be corrected to read as follows: "To the Very Reverend Archimandrite Dr. Firmilian Ocokoljich, Administrator of the Mid-West American Diocese, Pittsburgh".

PLANTIFF'S EXHIBIT 7D
HOLY BISHOP'S SYNOD
OF THE SERBIAN ORTHODOX CHURCH
No. 1726/minutes 238
may 17th 1963
in BELGRADE

YOUR GRACE

Holy Synod of Bishops on their meeting of the above number and date gave the following decision;

"Fulfilling the decision of the Holy Bishop's Council AC No. 20 and 21/minutes 77 of may 10th 1963 about the forming of new dioceses in the United States of America, and the decision of the Holy Bishop's Synod No. Syn. 1664/minutes 188 of may 10th 1963 about the starting the case of suspension from ecclesiastical duties and the dissolving from the ruling of the Diocese of His Grace Bishop Dionisije, Holy Bishop's Synod on the basis article 70, Pt. 21 of the Constitution of the Serbian Orthodox Church and Article 13 of the Constitution of the Serbian Orthodox Diocese for the United States of America and Canada are appointing for temporary administrators:

1. For the Middle West American Diocese the Very Rev. Archimandrite Dr. Firmilijan Ocokoljich, parish priest of the Serbian Orthodox church in Pittsburgh;
2. For the Western American Diocese the Very Rev. Archimandrite Grigorija Udicki, parish priest of the Serbian Orthodox Church in YOUNGWOOD;
3. For The Middle Eastern American and Canadian Diocese the Very Rev. Stevan Lastavica, parish priest of the Serbin Orthodox Church in Windsor, Canada."

We have an honor to inform You about the above mentioned decision of the Holy Bishop's Synod for Your information *asking that the government of the entrusted Diocese to hand over to the appointed administrator Very Rev. Archimandrite Dr. Firmilijan Ocokoljich until the charges against You are investigated and judged.*

For The President of the
Holy Bishop's Synod, member
Bishop of Sumadia
VALERIAN

HIS GRACE BISHOP OF MIDDLE WESTERN
AMERICAN DIOCESE LORD DIONISIJE
LIBERTYVILLE, ILLINOIS.

SEAL

PLAINTIFFS' EXHIBIT 8

Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 28th, 1968
In Belgrade

EXCERPT

from the minutes of the Holy Assembly of Bishops for 1963.

In these Minutes it is recorded that a meeting was held of the Holy Assembly of Bishops in special session on July 27/14, 1963, in the Patriarchial palace in Belgrade, and that in the Minutes of that meeting on pages 10, 11 and 12 the following is recorded:

" 8

42

Then His Holiness moves that the report of the commission of the Holy Assembly of Bishops be read, which was entrusted with the duty to investigate the case of His Grace Bishop Dionisije. The report of the commission was read by His Grace Bishop Stefan of Dalmatia, which states:

"The Commission which was appointed by the Holy Assembly of Bishops at the afternoon meeting on the 26th day of July, 1963, examined the material concerning the question of the activities of His Grace Bishop Dionisije after his suspension and establishes:

1. That His Grace Bishop Dionisije received the decisions of the Holy Assembly of Bishops and the Holy Synod Syn. No. 1664/min. 188 of his removal from the diocese, which can be clearly seen from his reply directed to the Holy Synod and to other church institutions and official persons in America;

2. That he does not recognize the same decisions, but rather continues to perform the duties of a diocesan bishop;

3. That he does not recognize the Court of the Holy Synod of Bishops and that he places the church-national assembly above the Holy Assembly of Bishops and Synod;

4. That he refused, being suspended, to surrender the duties to the newly appointed administrator (Letter of Bishop Dionisije to the "Plenum" of June 6, 1963);

5. In his act of June 3, 1963, No. 194, he acknowledges receipt of the act of the Synod No. 1664/min. 188 and states, that he does not recognize the decision of the Holy Assembly of Bishops and Synod of the division of this one diocese into three new dioceses; neither his suspension nor removal from governing of the diocese, neither will he surrender the duties to the appointed administrator;

6. That by his letter of June 12th, 1963, he called upon all clergy and all church-school congregations not to obey the directives of the administrators of the three new dioceses who were appointed by the Holy Synod of Bishops;

7. Although he was suspended in a proper canonical manner, he calls upon the clergy and people not to receive the Investigating Commission of the Holy Synod of Bishops, which he forbids to go about the diocese and to celebrate divine services;

8. That he does not recognize the judicial competence of the Holy Synod of Bishops, but only the judgment of the people over there (circular letter of June 28, 1963);

9. That in another circular letter entitled "The American-Canadian Serbian Church Triumvirate" of June 28th, 1963, Bishop Dionisije word for word says: "I call upon all Serbdom in the world to stand together with us in our holy and Saint-sava Serbian national struggle.

"I accept under the wings of this diocese, all church congregations in the whole world, which do not wish to be subject to Belgrade, the pro-Titoist decisions of Patriarch Gherman and the unlawful decisions of the Holy Assembly of Bishops";

10. Even though he is suspended and under interdiction, Bishop Dionisije by his act of June 7th, 1963, dismisses Archimandrite Firmilian from duties as episcopal deputy, because he submits to the decisions of the Holy Synod of Bishops;

11. That in the same manner by his act of June 7th, 1963, he dealt with the Archpriests Miodrag Mijatovich and Miodrag Djurich, because they have agreed with the stand of Archimandrite Firmilian; and

12. That he by his act of June 14th, 1963, although under suspension, relieved of his duties as episcopal vicar general the Archpriest Dushan Klipa because he submitted to the decisions of the Holy Synod of Bishops, etc.

According to everything above noted, the Commission established that a case has arisen completely relative to article 111 and in connection with article 104, points 1 and 4, of the Constitution of the Serbian Orthodox Church and recommends to the Holy Assembly of Bishops as a decision the following:

"The Holy Assembly of Bishops of the Serbian Orthodox Church establishes, that His Grace Bishop Dionisije Milivojevich has trampled his episcopal oath and lost the conditions as set forth in article 104, point A and D, of the Constitution of the Serbian Orthodox Church foreseen for the position of a diocesan bishop, and on the basis of article 111 of the Constitution of the Serbian Orthodox Church, is deposed from duties of a diocesan bishop, and proclaims the Mid-western American Diocese vacant."

Belgrade
July 27, 1963

Members of the Commission:

Metropolitan of Crna Gora-Primorje, Danilo
Bishop of Shumadija, Valerijan
Bishop of Zhica, Vasilije
Bishop of Banat, Visarion

In regard to this question a discussion followed in which participated His Grace Bishop of Zhica, Vasilije; His Grace Bishop of Banat, Visarion; His Grace Bishop of Gornji Karlovac, Simeon; and His Grace Bishop of Dalmatia, Stefan.

Following the discussion His Holiness the Serbian Patriarch Gherman moved that the matter be voted upon, since unanimity on this question has not been achieved. He suggests that the vote be "for" and "against" the submitted report of the commission. After the balloting His Holiness the Serbian Patriarch Gherman announces that for the motion of the Commission the vote was 14, against was 3, and 2 unmarked ballots.

His Holiness the Serbian Patriarch Gherman announces to the Holy Assembly of Bishops and proclaims that the motion of the commission is adopted.

From the same Minutes on page 18 and 19 it can be seen that upon the reading of the decision, the following personally signed the decision:

President of the Holy Assembly of Bishops the Serbian Patriarch Gherman

Members:

Metropolitan of Zagreb DAMASKIN
Metropolitan of Dabro-Bosnia NEKTARIJE
Metropolitan of Crna Gora-Primorje DANILO
Bishop of Timok EMILIJAN
Bishop of Nis JOVAN
Bishop of Shumadija VALERIJAN

Bishop of Srem MAKARIJE
Bishop of Bachka NIKANOR
Bishop of Zhica VASILIJE
Bishop of Banat VISARION
Bishop of Slavonija EMILIJAN
Bishop of Zvornik-Tuzla LONGIN
Bishop of Gornji Karlovac SIMEON
Bishop of Zahum-Hercegovina VLADISLAV
Bishop of Ras-Prizren PAVLE
Bishop of Banjaluka ANDREJ
Bishop of Dalmatia STEFAN
Bishop of Sabac-Vaijevo JOVAN

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9, 1968 — Supreme Secretary
Belgrade (SEAL) — Holy Synod of Bishops
The Patriarchate — Mladen Mladenovich (signature)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 9

THE HOLY BISHOPS' SYNOD of
THE SERBIAN ORTHODOX CHURCH
No. 2401/zap. 354
July 29th, 1963
Belgrade

Rt. Rev. Archmandrite
FIRMILIAN OCOKOLJICH, newly elected
Bishop of the Middle-Western American Diocese
Pittsburgh, Pa.

The Holy Bishops' Council of the Serbian Orthodox Church at its session, under the No. AS.42/zap.2, of July 27th, 1963, have decided:

"The Holy Bishops' Council of the Serbian Orthodox Church have decided that Bishop Dionisije Milivojevich violated his bishop's oath and lost the conditions for the position of the diocesan bishop, according to Art. 104, paragraphs A and G, of the Constitution of the Serbian Orthodox Church and in accordance of the Art. 111, of the Constitution of the Serbian Orthodox Church has been discharged from his duty as a diocesan bishop, and the Middle-West American Diocese is proclaimed as vacant."

You are informed about above mentioned for acknowledgment.

(Seal) SERBIAN PATRIARCH
+ GERMAN

P.S. The above document is notarized by American Consul at Belgrade, on July 29th, 1963, number: 2788497.

PLAINTIFFS' EXHIBIT 10

THE HOLY BISHOPS' SYNOD of
THE SERBIAN ORTHODOX CHURCH
No. 2402/zap. 355
July 29th, 1963.
Belgrade

Rt. Rev. Archmandrite
FIRMILIAN OCOKOLJICH, newly elected
Bishop of the Middle-Western American Diocese

The Holy Bishops' Council of the Serbian Orthodox Church, at its session of July 27th, 1963, AS.No. 43/zap. 2, elected you for the Bishop of the vacant Middle-Western American Diocese, with the See in the St. Sava Monastery, in Libertyville, Ill.

In accord with the decision of the Holy Bishops' Synod, under the above mentioned number and date, you are informed of the same for your acknowledgment.

With blessings,

(Seal) SERBIAN PATRIARCH
+ GERMAN

(notarization omitted)

PLAINTIFF'S EXHIBIT 11

To
His Grace Bishop Mister Dionisije
Libertyville
From
The Holy Bishops' Synod of
the Serbian Eastern Orthodox Church
ref. no. 2401/min. 354
July 29, 1963, in Belgrade
Your Grace,

The holy Bishops' Assembly of the Serbian Eastern Orthodox Church, on its Meeting held on July 27, 1963, ref. no. AC no. 42/min. 2, has decided

"The Holy Bishops' Assembly of the Serbian Eastern Orthodox Church states that His Grace Bishop Dionisije Milojevic broke his bishopian oath and lost the conditions as under paragraph 104, items A and G of the Constitution of the Serbian Eastern Orthodox Church as stipulated for position of diocesan bishop, and on the ground of paragraph 111 of the Constitution of the Serbian Eastern Orthodox Church; dismisses him from the duty of the diocesean bishop, and the Mid-west American Diocese proclames vacated."

We are honoured to notify your Grace about the above explained.

Your Grace brother in Christ

Serbian Patriarch
German
(signed)

PLAINTIFFS' EXHIBIT 12

HOLY SYNOD OF BISHOPS OF THE
SERBIAN ORTHODOX CHURCH

No. 2403/min. 356
July 29, 1963
in Belgrade

The Very Reverend Archimandrite
GREGORY UDICKI, bishop-elect of
the Western American Diocese

The Holy Assembly of Bishops of the Serbian Orthodox Church, at its meeting of July 27, 1963, under (Holy Assembly) No. 44/min.2, has elected You as diocesan bishop of the Western-American Diocese with its See in Los Angeles.

In accordance with the decision of the Holy Synod of Bishops under the above number and date, you are hereby informed of the foregoing for your information.

With blessings

PATRIARCH GERMAN
S/+ German

(Translator's certification omitted)

PLAINTIFFS' EXHIBIT 13

HOLY SYNOD OF BISHOPS OF THE
SERBIAN ORTHODOX CHURCH

No. 1932/min. 264
June 13, 1963
Belgrade

The Very Reverend Archimandrite
GREGORY UDICKI, administrator
Western-American Diocese

Youngwood

The Holy Synod of Bishops at its meeting under the above number and date, received into acknowledgment the announcement of His Holiness the Serbian Patriarch German, that he, in accordance with article 55, point 4, of the Constitution of the Serbian Orthodox Church, authorized their Graces Bishop Hrizostom of Branichevo and Bishop Visarion of Banat, to ordain (consecrate) together with one other Bishop, to the rank of bishop the most worthy Very Rev. Archpriest Stevan Lastavica, pastor of the Serbian Orthodox Church in Windsor, who was by decision of the Holy Assembly of Bishops (Holy Assembly) No. 36/min.80 of May 11 of this year, elected as bishop of the Middle-Eastern American and Canadian Diocese.

We note that accompanying their Graces Bishops Hrizostom and Visarion will be Very Rev. Father Mladen Mladenovich, supreme secretary of the Holy Synod of Bishops and Protodeacon Bozidar Tripkovic, secretary of the Ecclesiastical Court of the Archbishopric of Belgrade-Karlovci.

The day of consecration will be subsequently determined by their Graces Bishops Hrizostom and Visarion, by agreement with Very Rev. Lastavica.

We inform You of the foregoing for your information.

(SEAL) For the President
of the Holy Synod of Bishops
member, Bishop of Timok
S/ Emilijan

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 14

HOLY SYNOD OF BISHOPS OF THE
SERBIAN ORTHODOX CHURCH
No. 1966/min. 265
June 13, 1963
Belgrade

The Very Rev. Archimandrite
GREGORY UDICKI, administrator
of the Western-American Diocese
Youngwood

The Holy Synod of Bishops at its meeting under the above number and date, rendered this decision:

"Relative to the decision of the Holy Synod of Bishops no. 1664/min. 188 of May 10, 1963, by which proceedings were initiated against His Grace Bishop Dionisije of the Mid-Western American Diocese, the Holy Synod of Bishops authorizes their Graces Bishop Hrizostom of Branichevo and Bishop Visarion of Banat to go to the U.S.A., and, in accordance with articles 67 and 90 of the Regulations and Procedures for Ecclesiastical Courts of the Serbian Orthodox Church (Penal Code) to conduct proceedings, to investigate the matter and to conduct necessary hearings of the accused and witnesses, and to conduct the gathering of evidence, and to submit a report with all relative documents concerning their findings to the Holy Synod of Bishops for further competent proceedings.

For the performance of this work Their Graces are assigned as assistant technical personnel Archpriest Mladen

Mladenovich, supreme secretary of the Holy Synod of Bishops and Protodeacon Bozidar Tripkovic, secretary of the Ecclesiastical Court of the Archbishopric of Belgrade-Karlovac."

We inform You of the foregoing decision of the Holy Synod of Bishops for your information.

For the President
(SEAL) of the Holy Synod of Bishops
Member, Bishop of Timok
S/ Emilijan

(translator's certification omitted)

PLAINTIFF'S EXHIBIT 15

June 9, 1963

To the Holy Synod of Bishops of the Serbian Orthodox Church Patriarchate, Belgrade, Yugoslavia

It is our honor to inform Holy Synod of Bishops that on the 6 of June this year in the Monastery of St. Sava a meeting of the Diocesan Plenum, the Diocesan Council, Diocesan Church court and the Diocesan Auditing Board, 39 members who after a discussion of seven hours have brought the following decisions:

1) Moved by Mr. Todor Polic, seconded by Mr. Jovo Pavich, Diocesan Plenum unanimously declares that this Plenum is not entitled neither to accept neither to reject the matter of the division of the American Canadian Diocese into three Dioceses but the whole subject it transfers to the Church National Convention which because of the urgency of the case it calls for the days, 6, 7, 8 and 9 of August, 1963 in the Monastery of St. Sava at Libertyville, Illinois. In place of the one scheduled for the days 14, 15 and 16 of October this year and according to the regulations and decisions of the last Church National Convention held in 1960.

2) Moved by the Priest Alexander Dimitrijevich, seconded by Mr. Milosa Konjvich, it has been resolved to send a letter telegram to the Holy Synod of Bishops with warmest petition that in the shortest time as Synodal investigation commission should be sent at the expense of the accusers, which will investigate and complete the case of charges against our Bishop Sir Dionisy because according to the aforesaid resolution no changes in the administration of this dioceses can be done prior to the decision of the scheduled Church National Convention. This proposal has been accepted by all the present except two which voted against.

The presiding Dr. Uros L. Seferovich

PLAINTIFF'S EXHIBIT 16
THE HOLY BISHOP'S SYNOD
of the
SERBIAN ORTHODOX CHURCH

BEOGRAD

Page 1.

Indictment against the suspended and deprived of duty active diocesan Bishop Dionisije Milivojevich

Prosecutor

Bishop of Zicha Vasilije

By its decision No. 2591/Min. 369 of September 3, 1963 the Holy Bishop's Synod gave to me a duty that, as prosecutor, to write an indictment in matter of guiltness of suspended and deprive of duty as active diocesan Bishop Dionisije in accordance of 69 Article of Rules and Regulations for the Ecclesiastic Courts of The Serbian Orthodox Church, and after all case to return to the Holy Bishop's Synod.

Authorized The Holy Bishop's Synod

I am finding: that The Holy Bishop's Synod of The Serbian Orthodox Church in accordance with Art. 70, p. 35 under b of By-Laws of The Serbian Orthodox Church and Art. 63 Rules and Regulations for The Ecclesiastic Courts in Serbian Orthodox Church is authorized to judge in first instance in case of guiltiness of Bishop Dionisija Milivojevicha.

Guiltily Bishop Dionisije Milivojevich

Bishop Dionisije-Dragoljub-Milivojevich is born 13/26 of July of 1898 in village of Rabrovac, near Smederevska Palanka in Serbia from parents Zivota and Stamenija Milivojevich.

The Holy Bishop's Assembly of The Serbian Orthodox Church at its session of June 9/22 of 1938, under ASNo. 938/min. 132 elected him as vicar of the Serbian Patriarch with a title as Bishop of Moravice. He remained on that duty until December 8th (Nov. 25th) of 1939 when the Holy Bishop's Assembly at its session under ASNo. 218/Min. 61 elected him as diocesan Bishop of the American and Canadian Diocese.

On duty of American and Canadian Diocese Dionisije was until May 10th, 1963 when The Holy Bishop's Assembly by its decision ASNo. 20 and 21/min. 77 suspended him, started legal action, imposed upon him temporary forbidance of church action and released him from the governing of the Diocese.

Page 2.

Moral picture of suspended Bishop Dionisije Miliovejevich

Jovan Dutchich: "There are persons blind for colors, but this one is blind for moral".

To get a real picture and a real opinion as well as right judgment about Bishop Dionisije it is inevitably necessary that his psychical view be illuminated by his own ethic behavior, life and work in Diocese of America and Canada

from the time of his arrival to that Diocese until his suspension from 1939 until 1963. There is enough material by which could be reflected, illuminated and looked over during his 24 annual Bishop's life and work among the Serbian Orthodox people in the New World.

Eye witnesses, clergy and laymen, the closest co-aids of Bishop Dionisije are revealing unusual and shameful things from his life, behavior and in relation toward society. Let them speak.

Priest Dushan Popovich of Chicago writes: "Immediately when I arrived in the United States (I mean in Chicago), I remarked with great surprise that a very bad opinion about our Bishop is existing among the people . . .

The late Jovan Dutchich . . . in those first days said to me that "The greatest misfortune of immigrant Serbs in those decisive days is to have such a Bishop." "My father Dusan, there is neither man nor Bishop."

Looking on Bishop Dionisije during some gathering in Gary, Indiana, "How he is speaking with women, touching their arms, backs and other things," Jovan Dutchich was shocked. Seeing and knowing some havier things for Bishop Dionisije, this our famous diplomat and writer could not hold himself of saying: "If this our Bishop is female he would have a 'book'." (*Enclosure* Number IV —Memorandum of Rev. Dusan Popovich of November 23, 1962 to the Metropolitan Damaskin page 27/2 and page 35/5).

Another person is writing in the same newspaper: "Do you

Page 3.

want me to quote names of a dozen of our most eminent friends which told me of Bishop's bad doings, and in comparison with them the stories of sexually-unethical Cardinals of the middle ages and of Rasputin in Russian

steps are like flower. Do you want me to state to you those who saw the evildoer Dionisije attacking honest woman in their honest houses, to enlist those who found him in "public houses," or those before whom monks ethically equal to devol, described how Bishop and monks are chasing immoral women through some Mexican brothels? Do you want me to name those whose women he attacked when they were coming to the Monestary to guard Serbian children during the summer time, to state those to whom he entered in houses during the nights, or to enlist his mistresses and girl friends thorughout America? Do you want to name the priests, which you gave to me, whose wives he attacked promising to their husbands as reward a red belt?" (*Enclosure* No. IV from the article "The black Dionisije" of Dobroslav Jevdjevich in paper: The Serbian Independence No. 159 of 1961, P. 219.)

This part of Jevdjevich's article is as some kind of content of different violations from the life of Bishop Dionisije, which will be explained and enlarged by further documentation. To support it I mention one dialog between Dr. Urosh Seferovich and Hieromonah Nikolaj Dazgich.

Dazgich: What is doing that my copular?

Dr. Seferovich: Which copular, for the name of God! For whom you are asking me?

About our Bishop and of nobody else.

Please, leave me and this people in peace, said Dr. Seferovich shocked by this Dazgich's statement.

That is not any secret, said Dazgich. He (Bishop) always when arriving to me, visits me only because of that. When he comes in here, and until he is taking bath, change and dress himself, sending me in Mexican brothel to find some prostitute, and after that we are going together. Only, you know we have a big problem. Bishop likes blondies and among Mexicans it is very difficult to find such a per-

son! ! ! (*Enclosure* No. IV—Memorandum of Rev. Dusan Popovich page 31/3 and report of Chicago of November, 1962 to The Metropolitan Damaskinos, page 144)

This dialog is supported by Rev. Ljubisav Djurich of South St. Paul, Minnesota

Page 4.

which he is giving under oath before The Gospel and venerable cross. "In here," he says, "in the state of Minnesota, there are a great number of men and women saying of different immoral acts of Bishop Dionisije, but all of them are afraid that their name be mentioned and to testify. He attacked many women and one was even raped by him. She is now married, has children, and living in St. Paul, Minnesota.

I decided to announce what I know about him and only that what I heard from his own mouth, but not "hearsay."

When Bishop arrived a day before the Trinity Day in 1953 to dedicate our St. Sava Church in St. Paul, Minnesota after the vesper service which I performed, he asked me to bring him to some hotel, not to a private house, to rest and to find for him a younger women with which he will pass the night, and to her he would pay for that service, but only such a female which could guard the secret, that nobody may know it. I was shocked and said to him: "Bishop, are you respecting the holy cannons and your monastic vows and could you dare to dedicate our church tomorrow?" He answered "Father Djurich, canons are very old today in this modern century, and I am a man, and could not be without a woman." (*Later arrived documents*—Letter of Rev. Ljubisav Djurich of Minnesota of August 19th, 1963 to Very Rev. Mladen Mladenovich, p. 367.)

Since Bishop Dionisije could go so far then it could be believed to be exact what was said by Rev. Vladimir Milinkovich and his wife, Ljubica. When they met with Bishop Dionisije on April 5th, 1962 in the presence of his wife, Ljubica, Dionisije asked him: "How is your parishioner Evelyn Petrovich? It will be very good that she might go together with me to California. There is time and places. She is only around 30 years old." (*Enclosure* No. IV—Letter of Rev. Vladimir Milinkovich—Indianapolis—of November 24, 1962 to Metropolitan Damaskinos, p. 29. *Enclosure No. X*—Declaration of Vladimir and Ljubica Milinkovich of June 18, 1963, in Canton, Ohio, p. 251-253.)

Uncontrolled and blind by sex and sin, Dionisije made a bad move during a banquet of a Church Congregation in Detroit, where there was one "beautiful lady," people's representative of that district. Before all the people at that banquet Dionisije behaved very unpolitely toward that lady so that she demonstratively left the banquet to the

Page 5.

surprise of all those present." (*Enclosure No. IV*—Association of University Educated Theologians of Serbian Orthodox Church of June 8th, 1962 to Patriarch Guerman p. 207/10.)

There are Worse events than that. In a night club of the biggest hotel in Cleveland, Dionisije was holding on his knees a prostitute in "Eve's" costume and her nudity covered by silk of his headcover—panakamilavka. (there)

Seeing immoralities of Bishop Dionisije one archpriest writes: "His relation toward the female people comes into sexual criminality, what is public secret for everybody." (*Enclosure No. IV*—Letter of archpriest Stevan Prostran of October 21 to Metropolitan Damaskinos, p. 85). Therefore, it could be often heard: "Attacks on wives and

daughters in homes of houseowners where he is staying on his diocesan people, and especially on wives of his priests." people. (*Enclosure No. IV*—Association of University Educated Theologians to Patriarch Guerman p. 207/10). For that reason in the case of Bishop Dionisije is seen unbalanced sex, attacks on sisters, wives and daughters of his diocesan people, and especially on wives of his priests."

Enclosure No. 4—Miomir Dubak—Pleasing to The Holy Bishop's Synod of July 4, 1961, p. 217.) "But, it could not be expected that taking in family sanctity, ceaseless connections with women and girls, may stay covered all the time, un-noticed." (*There* p. 215)

Because of that behavior, Bishop Dionisije has no dignity among people. Only because of that it could happen in the home of Bogoje Manic of Elgin, that Miodrag Andrich would cut his beard with the scissors. Andrich would have beaten him if others didn't prevent it and "threw him out." (*Enclosure No. IV*—letter to Metropolitan Damaskinos of Chicago of 27-XI of 1962 p. 146/6)

What Bishop Dionisije is outside of residence, in Diocese, he is such and in his own house. That has been seen and felt by his priests. In great despair they are writing: "From the seat of our Diocese there is not any example of spiritual and moral life, but there is a place of immorality and other moral trash. . . . ."

(*Enclosure No. IV*—Vladimir Milinkovich, letter p. 129) And

Page 6.

other continuing: "Very often it happen in the house of Diocese in Libertyville, Bishopls orgy with some problematic woman. Because of that he chased out the old Sava Mikovich from the Monastery and afterward from the Diocese to the street in order that he could not be a witness of his action."

As some kind of rule Bishop Dionisije is going out of monastery every evening and he is back with seals of lipstick and open pane." (*Enclosure No. IV*—letter from Chicago, p. 146/6).

And a third is saying: "The archpriest told me that and other things, but mostly of immoral life governing in that house which is not a residence but a house of greatest sex and immorality."

(*Enclosure No. IV*—Rev. Dusan Popovich—Memorandum p. 27/1.) Looking to such a person as Bishop Dionisije, it is hard to believe that a Bishop is in question. He is similar to everything else but not to that what he should be. Such impression is gotten when you draw your attention to the vocabulary which is used by Bishop Dionisije even on very important meetings. Among all others he is most immoral and his tongue vomits the poison. That is seen from further.

During one occasion in Chicago, in a church hall, Bishop Dionisije's said: "Look brothers and sisters! Some people would cut my legs, the others would cut my arms, some would cut my head, and some, something else! !" Allusion was so clear that some people were laughing and others were ashamed."

(*Enclosure No. IV*—Rev. Dusan Popovich—Memorandum p. 29/2.)

On another occasion, writes another person: "My enemies are threatening me; some to disrobe me, some that will send me to Mount Athos to penalize me, and others that they will cut another thing, excuse me please, ladies."

(*Enclosure No. IV*—Very Rev. Stevan Prostan, letter p. 85.)

In regard to some painted eggs by wife of priest Dimitrijevich, before priests and people Bishop Dionisije is shouting: "Did you fear that somebody did steal Bishop's penis.

. . . They are saying that it was done by one priest's wife. . . .'' (*Enclosure No. IV*—Rev. Vladimir Milinkovich —letter p. 129.)

During one occasion in Waukegan in Slovenian hall before the people in his greeting speech, Bishop Dionisije said in these words: ''Some people among you don't want to work because they feel as old, but I feel young. There are among you some good ladies and they know that I am young.'' (*Enclosure No. IV*—letter of Chicago 1962 p. 144.)

Page 7.

During an opening of some gathering in Milwaukee Bishop Dionisije said ''I know that all of you will say Bishop Dionisije knows that in here will be enough beautiful and young women, and he came for that reason.'' His accusers farther say: ''Here there is not a parish in which Bishop Dionisije has not its sexual station. Through those persons of both sex he rules with life of our church in here.'' . . . Sending priests to compete for parishes, Dionisije teaches ''Open only your trousers and go among ladies-parishioners and do not care any more.'' *INCLOSURE No. IV*—Association of University educated theologians, p. 207/10)

Very Rev. Stevan Prostran writes: ''He, in my home, said once to my daughter in law, that we may hear all of us as well as his co-travellers: You know, Mrs. my buttocks is so hard that does not feel any more the strikes.'' *(INCLOSURE No. 4* Very Rev. Stevan Prostrain-letter p. 85)

To all remarks and critics against his behavior and conduct Bishop Dionisije is replaying: ''And I am alive person and need everything as you.'' (*INCLOSURE No. IV*—Rev. Vladimir Milinkovich—letter p. 129)

Toward this statement people is replaying with boycott as in one letter is said: ''Would that be unbelievable: For

the celebrations of churches many invitations are sent but about the Bishop of the same church the people would not hear anything? Here is not needed to point out the money for Bishop but antipathy against him.'' (*INCLOSURE No. IV*—Very Rev. Stevan Prostrain—letter p. 89.

That antipathy forced Mr. Dusan Silasky to write in newspaper ''THE UNITY'', that the Bishop Dionisije is the most unworthy and most shameful person in history of Serbian Orthodox church whichsoever was in position of a diocesan Bishop.'' (*INCLOSURE No. IV*—pleading of Miomir Dubak p/.213)

BISHOP DIONISIJE AND WOMEN

''My women are sweet. This should not be grudged. And I am man as others and I have a right for life.'' (Bishop Dionisije)

From the beforesaid the psychical view, even so dark, of Bishop Dionisije is very clear. What it will be said further will confirm the imagination of an indeed unworthy Bishop of The Serbian St. Sava Church of Christ.

First I will mention the persons which Dionisije attacked in his foolishness, but unsuccessfully. After that will come persons connected with his immoral life, about whom some stories are existing and costing

Page 8.

of Dionisije so much of material expenses.

A known Serb of America, Mile Radakovich, studying soul and character of Bishop Dionisije, who gave to him a name, corresponding to his person, as ''skunk'', by the name of an animal smelling so much, in serbian ''tvor''. (*INCLOSURE No.* IV—letter of Very Rev. Stevan Prostran p. 89/3).

Talking to the Very Rev. Stevan Prostrain Radakovich said to him: ''It is same for me to say, but, imagine, he attacked my daughter Mary, skunk!'' (Ovethere)

Rev. Dusan Popovich is quoting, that, beside of others, it was said by Bishop Dionisije, that he was charged in Belgrade by Branko Pekich, "That he attacked his daughter in his house" and about it was said by Peter Martinovich and Radule Ostojich. (*INCLOSURE No. IV*—Rev. Dusan Popovich *memorandum p. 47/11 and Very Rev. Stevan Prostran, letter p. 85).

Once Bishop Dionisije forgot himself during celebration of Family Day of St. George of May 6th 1958 in house of president of Church Congregation of Waukegan. Beside the other guests was and Bishop Dionisije. "He was very impudent toward one lady, named Kaja. The host and husband of that lady warned him but the Bishop didn't pay attention. He fingered her lower part of body before all guests that finally, host Mr. Vidakovich, couldn't stand it more, took Bishop under arms and threw him outside of the doors. About that event long was said in Waukegan and vicinity, and many thing else what happened." (*INCLOSURE No. IV*—letter from CHICAGO of 1962 p. 144. Inclosure No. XII p. 281, the same).

The same he did in Elgin, around 30 miles from Monastery, in home of Milan Pavlovich where he attacked his wife Ann offering to her his love service. She succeeded to defend herself and when her husband came she told to him. Before witnesses: Srira Miloshevich, Mioderag Andrich and others. Her husband threatened to break ribs of Bishop Dionisije and he did it in a house of a teacher Serb in Elgin." (*INCLOSURE No. IV*—letter from Chicago of 1962 p. 143).

Rev. Dusan Popovich of Chicago, read one letter written to Bishop Dionisije by Very Rev. Milan Rakich of St. Louis, to whom complained his parishioner Ann against Dionisije's action during her visit in Monastery with her children in the camp building in summer time. In that letter is said: "One day in camp around noontime in room of that lady appeared nobody else but Bishop Dionisije. After greeting, she got up from bed where she came to rest a little. Our Bisop came to her and asked her: could you kiss the Bishop? She answered, yes, but in hand as her parents taught

Page 9.

her as well as all other priests should be kissed.

Would you kiss me on my cheek? asked the Bishop.

But, Bishop said to her, leave the hand out, Ann, but would you kiss me in here, showing his cheek, then he approached her, grabbed her, turned her to bed and started to kiss her putting his tongue in her mouth. She pushed him somehow and ran out from room crying. "(*INCLOSURE No.* IV.—Rev. Dushan Popovich—Memorandum p. 29-30/2-3." Thanking to Very Rev. Milan Bakic, Bishop Dionisije didn't go to the court to wash the shame he brought to that house. This event caused a great loathing in St. Louis." (*INCLOSURE No. IV*—letter from Chicago of 1962, *Inclosure no. XII* p. 281)

Before witnesses: Very Rev. Mladen Mladenovich, main secretary of the Holy Synod, and archdeacon Milan Stojanovich of Lackawanna, Mary Dritto of Springboro, Pa. gave a very heavy testimony against Bishop Dionisije.

As first neighbor to church property on Shadeland, she visited Bishop Dionisije on Shadeland on August 12th 1951 acquainted with him." From that it passed one day or two. When I returned from my daily work, I started to work in house as always. Immediately after that in yard of my house appeared an auto and after that I saw before my doors, alone, Bishop Dionisije. I was very surprised because I wasn't notified about his arrival. I received him politely but his intentions were not to give me an honor but to soil it.

Without much introduction he started to propose to me some love offers. He began his action to fulfill his intentions and my defense didn't have much chance, but anyhow I succeeded to go out and run in my car away." (*INCLOSURE No. V*—Declaration of Mary Dritto, p. 223/19)

Under an oath a written declaration gave Very Rev. Emilijan Glocar on July 14th 1963 about a clever and immoral step of Bishop Dionisije toward his wife. He said: "In 1941 or 1942 Bishop Dionisije came to my parish, Cleveland, to serve the Holy Liturgy and afternoon he called me and ordered to come for him to the Railroad Cleveland station. Two times he asked me when I will come and I said to him—immediately after I put down the receiver . . . and to take my coat.

Immediately I went to the Railroad station looking for Bishop Dionisije and I couldn't find him. Then when I called home I learned that Bishop Dionisije came to my apartment immediately I left the house. I was naive and didn't have a clear picture. When I arrived home my wife Bosiljka said to me: do not leave the house, and I won't be alone with Bishop

Page 10.

what he is trying to do. Tomorrow he have to serve the holy liturgy, and do not have any shame before our children. My daughters, Milena and Olga were of 10 and 8 years old. I didn't react to the Bishop's action even though it was clear to me that he intentionally took me out of house that he might be alone with my wife Bosiljka. I entrusted that thing to Lawyer Silaski when Bishop start my persecution." (*INCLOSURE No. VI*—Emilijan Glocar, declaration, p. 225-7/15

About a scandal of Bishop Dionisije with Mrs. Dimitrijevich during a solemn occasion this is what writing Slavoljub Radovich, officer of King's body guard says:

"From Libertyville, after a gathering finished, we started to Chicago around 1 A.M. After a longer time of looking between parked cars before the hall I saw some silhouettes and when I approached, I saw that they were Bishop Dionisije and Mrs. Dimitrijevich. Mrs. Dimitrijevich then came to me and, embarrassed, said to me "Bishop Dionisije asked me to remain in Libertyville for tomorrow, to help him, and I decided to stay in here for another day."

One month after that Radovich looked through window of the house of Sreten Gajich in Chicago, and he saw this: "in salon were seated Bishop Dionisije, Mrs. Dimitrijevich and Mrs. Gajich. Bishop Dionisije was in best feeling, gay and laughing making grimaces by hands toward Mrs. Dimitrijevich. It was touching the face and shoulders of Mrs. Dimitrijevich by Bishop Dionisije. Later on I discovered that Mr. and Mrs. Gajich were mediators between Bishop Dionisije and Mrs. Dimitrijevich and they met in their house. Because of that connection later the ordination of Mr. Dimitrijevich came on and Mr. Dimitrijevich was shaved as he was in marriage." (*LATER arrived documents*—letter of Slavoljuba Radovica to Bishop Chrisostomos of July 27 1963, p. 353-355)

Two similar testimony gave Stojanka wife of priest Radoslava Kovachevicha from which is seen how Bishop Dionisije is frivolous in talking with wives of his priests. Evidently it is shown how much his soul is corrupted of a brain spoiled of a high rank person of the Serbian Orthodox Church.

It was on the eve of 4 October 1959 when Bishop Dionisije had to perform the Holy Bishop's service. During the supper our Bishop, beside of some vulgar talking, asked Sava Vujkov to sing some shameful songs, saying more, more, counting them by fingers. Among other talking

Bishop Dionisije said: "I am very bad person but toward Mrs. Andja Polich I do not think that way because I am considering her as my sister."

On May 6 1960 in Indiana Harbor, in house of Very Rev. Marchetich,

Page 11.

came to him Mrs. Stojanka to greet him, "but in shaking hands, she says he draw tight her hand and looked to her not saying anything. I was perplexed and didn't know what to do. . . ."

On November 6 1960 in Libertyville: "Between else Bishop Dionisije directed to me a blaming question: Why you need one more child. Didn't you have one as enough or to await a little time than to have one after another? You and your husband are crazy, showing toward the head." I asked him—why? He answered to me, because you are thinking that God will take care, but you must think it, too, but not every year to bring children and then Bishop will be guilty that you have such a small parish. I was pious too, when I came in here. After that he continue to advise me do not have more children. There is some new medicament. I do not think that you will kill your children . . . but I think that you could prevent pregnancy. "After that he explained how that medicine should be used and when." *(INCLOSURE No. IV,* declaration of Stojanka Kovachevich, p. 53/5, and repeated and certified of June 18 1963. *INCLOSURE No. VII* pp. 229-233)

By its letter to Metropolitan Damaskinos Momchilo Djuicj says:

"You need to accept Rev. Kovachevich . . . whose wife Rasputin Dionisije raped and to whom he didn't give any parish until she gave herself to Dionisije. He, Rev. Kovachevich, will give to you a certified testimony and to ask

your protection." *(INCLOSURE No. IV*—Momchilo Djuich—letter to Metropolitan Damaskinos Sept. 25 1962 p. 101).

What Djuich privately wrote he said openly "Before the Bishops of Belgrade declaring, that among the priests there is one which wife was attacked in sexual plan and after that her husband might get a parish. Declaration of Djuich had a very unpleasant result, and situation was very grave. Then, husband of that wife, said:

"It is true what Vojvoda said, bitter truth, brothers, priests and Your Graces", and he was very depressed. *(INCLOSURE No. XII*—Report from the convention of priest of the American and Canadian Diocese of Nov. 19, 1962 p. 265). The same Momchilo Dujich said in the presence of Bishop Sionisije, and he didn't react.

"Before the delegates from Belgrade and the Bishop Dionisije, priest Momchilo Djuich said: "There are on this convention some priests whose wives Dionisije attacked blackmailing with a threat that their husbands will not have any parish if their wives are not submitting to him." It was expected some reaction by Bishop Dionisije but he remained silent."

Page 12.

(INCLOSURE No. XII—the same report p. 265.)

There is no doubt, that the person about which it has been said, is wife of priest Radoslav Kovachevich. She repeated two times the same testimony about the disorder talking with Bishop Dionisije. She didn't mention that Bishop Dionisije raped her what was disclosed by Momchilo Djuich and confirmed by her husband before all as a "bitter Truth." From her declaration that could only be suspected. Probably she didn't say it because of shame. But after all what was said even before Bishop Dionisije, and he didn't try to defend himself, or to deny it, it is evident that that one is only his sin.

From other examples it will be seen a bigger moral fall of Bishop Dionisije than it was shown before. . . .

In Serbian circles of Monroe there is mentioned a sexual life of Bishop Dionisije with some beautician. *(INCLOSURE No. IV*—Momchilo Djuich letter to Miodrag Mijatovich of Sept. 25 1962, p. 123)

An event with Stana Boduljak shows how Bishop Dionisije do not have neither faith in God nor ethics. It is wondering how so long the orthodox Serbs over there could have him. It was said: "With Stana Badoljak, or Badoljan, of Montreal he slept in a hotel of Hamilton registering as husband and wife. With her he went to Windsor to serve the holy Liturgy. People of Windsor warned him that he should not come any more to serve the holy liturgy after he slept with a mistress. Somehow they knew of this action of him." *(INCLOSURE No. IV*—letter to Metropolitan Damaskinos of Chicago of Nov. 27th 1962 p. 146/6; *INCLOSURE No. XII*, copy of the same letter p. 285).

How much that financially cost him let the following examples show it up.

The first is with some Francis—called Bozica. In Waukegan he delivered to her a two story building of more than $20,000.00 of value, and dresses, jewelry, and other things over $10,000.00. Bishop Dionisije married that Francis to Milan Tepdpsich, even though he wasn't divorced from his first wife, daughter of Very Rev. Mladen Vukichevich of Jagodina. *(INCLOSURE No. IV*—letter to Metropolitan Damaskinos of Chicago of Nov. 27 of 1962 p. 143 and *INCLOSURE No. XII*—copy of it p. 279.).

It is a special romance of Bishop Dionisije and a young girl Rada Milentijevich, what is too low even for the greatest gangster of world.

Page 13.

About it some different persons are writing to whom we could trust. So Rev. Dusan Popovich wrote: "Very Rev. Svetozar Radovanovich told me about some Rada Miletnijevich, for which he said, she is "swojevka," student and that Bishop Dionisije is living with her and support her in school, he bought to her a new car." *(INCLOSURE No. IV*—Rev. Dusan Popovich—Memorandum p. 29/2).

Stojan Lazarevich, as eyewitness and others are confirming the before said fulfilling it with other details. He met her often saying: "It appeared in Monastery some young of 20 years girl, named Rada, just arrived from Europe. During his travel to Europe Rada was every day in Monastery with her new car." She was a student of Chicago University and living in International Home. *(INCLOSURE No. IV*—Stojan Lazarevich, report to the Holy Bishop's Synod of Oct. 14 1962, from Chicago, p. 69/7).

Another is writing: "Rada Milentijevich as student in Chicago, to which Bishop bought a new Chevrolet, and after a Cadillac, was going with him openly through Chicago. They met each other in motels, hotels and private homes. With him she traveled by car to California and other places of America and Canada." *(INCLOSURE No. IV*—letter to Metropolitan Damaskinos of Chicago, p. 143)

"In Canada, in Niagara Falls . . . he granted to his youngest girl friend around 15 acres of land. About that gift even today is said in Chicago with laughing." *(INCLOSURE No. IV* The same p. 142 and *INCLOSURE XII* copy of this letter p. 279).

Slavoljub Radovich, officer of King's Guard, says: "There are many shames and disgraces done by Bishop Dionisije with female people among whom is open scandal

with Miss Rada Milentijevich which came from Belgrade to Milwaukee for a marriage with a good man, but what was spoiled by Bishop Dionisije immediately he met her. Immediately she came to Chicago Bishop Dionisije bought to her a car. After one year she asked him to buy to her a Cadillac and he did it. Rada was saying, I don't need the Bishop Dionisije but his dollars." Milentijevich brought several time and Dr. Anka Kostich and they had a good time. Since Milentijevich was forced to leave the United States, she went to Paris, where she rented a bigger hotel, and the money she got from Dionisije. *(Later arrived documents*—letter of Slavoljob Radovich of July 27 1963 to Bishop Chrisostomos, p. 353-357).

Milka Suka, known under nickname "Bishop's Milka" is a person mentioned more often in connection with Bishop Dionisije. *(INCLOSURE No. IV*—Re. Momchilo Djuich, letter of Sept. 25th 1962,

Page 14.

p. 123.)

Rev. Dusan Popovich regarding of Milka Suka, is writing: "I had an opportunity, on my each step, to listen to terrible things about immoral life of our Bishop. . . . That is as public secret, in our colonies everywhere are talking about his immoral life with some Milka Suka, which passed away, but which is mother of one of our priests." *(INCLOSURE NO. IV*—Memorandum p. 29/2).

And Milka Suka cost too much of Bishop Dionisije. A house in Libertyville of $18,000.00 he gave to "his first love in America, Milka Suka. Condition was that she, after her death again to give to him that property. That is known to Toma Stankovich, Slvko Stokovich of Libertyville and perhaps Firmilijan Archmandrite. The same and Rev. Svetozar Radovanovich, who threw out Milka Suka from

Bishop's residence since he could not endure her terrorizing both Bishop and of employees." *(INCLOSURE NO. IV*—letter of Chicago 1962 p. 142 and *INCLOSURE No. XII,* the same letter copied p. 273.)

Because of Milka Suka Dionisije often, as a pimp, came in difficulties with his cooperators and employees, and issued some rashly decisions. After one argument with Dimitrije Balach, two months nobody knew it where Balach was. Dionisije chased him from the Monastery. Argument was caused of Bishop mistress Milka Suka. "You don't see anything beside of Milka Suka. She is all the time in your mind" said Balach to Bishop Dionisije. That happened before other people and before then secretary of Diocese Archmandrite Firmilijan. *(INCLOSURE No. IV* letter from Chicago 1962 p. 141.)

This brief revue about different female persons in connection with Bishop Dionisije, confirms many stories about immoral life of Bishop Dionisije by which he is degraded down even of animals." Beside of Milka Suka, which some time governed in Monastery, and was scandal in this country, Bishop Dionisije, indeed, had and have, according his own words, many other women . . . *(INCLOSURE NO. IV*—letter of Chicago of 1962, p. 143).

Beside of many scandalous stories in house of Milan Andrejevich, before his wife Sophia and others, Dionisije said and this: "What Milka wants? Does she think that I have to belong only to her, the old one? I like young girls and they like me too. I have in every place one or two. Sweet are my women. This should not be taken in bad part. I have also a right for life. . . ." *(INCLOSURE NO. IV*—letter of Chicago of 1962 p. 146/6; see and letter of Fladimir Milinkovich p. 129, *Inclosure No. IV).*

DIONISIJE AND HOMOSEXUALS

"They are as bride and groom."

Page 15.

Bishop Dionisije is charged for homosexuality. If it is taken into consideration his perversity in regard to his behavior and relation with women, what is leading to pathology, then these people, accusing him for homosexuality, are not far from the truth.

One distinguished archpriest is writing: "Uneducated monk and homosexual, what was confirmed by police record, and as such appointed as parish priest. When I spoke recently with one monk he said to me: those two are like bride and groom." *(INCLOSURE*—letter of Very Rev. Paul Zelich to Metropolitan Damaskinos of Nov. 7, 1962, p. 83).

As homosexualist openly is mentioned Mitrofan Kresojevich. As Hieromonah he was condemned in Arizona December 1, 1953 by civil court as homosexualist. Three years passed from that time and Bishop Dionisije elevated him to the rank of protosingelos, and after in rank of abbott giving him a parish. Report in English gave Very Rev. Dusan Klipa with an original signature of Kresojevich, himself.

Rev. Momchilo Djuich is writing in English language probably about the same person: "One homosexualist, after a disclosed pederasty, elevated Dionisije." *(INCLOSURE No. IV*—Momchilo Djuich—letter to Miodrag Mijatovich of Sept. 25, 1962, p. 123).

Monks similar to Kresojevich are main helpers of Dionisije. "Three of those remaining monks are known pederasts and they are closest to Bishop Doinisije and today are practically ruling with Diocese." *(INCLOSURE No. IV*—Association of university educated theologians, p. 173/11).

And further, a special chapter of accusations of Bishop Dionisije is his many sides sexual and bisexual life. *(INCLOSURE No. IV*—The same Association p. 206/9).

This his life became an enormous scandal for religious life of this Diocese and endanger to destroy all ethic principles of our private and public life, of our people's life. By influence of this terrible bisexual life of immorality he poisoned and destroyed all respect toward moral measure of our faith in Diocese, so that many start to consider that sin is normal status of man's life and his soul and that moral mission of the church in salvation of souls be as unimportant." *(INCLOSURE No. IV*—Association of University educated theologians p. 157/2.)

Different scandals of Dionisije should not cover and hide his real patalogique and homosexual nature. Students of Monk Schools of Rakovica and Visoki Dechanany explained to us their different events." *(INCLOSURE No. IV* The same, p. 207/10).

Page 16.

That this may not be taken as fantasy "The Association will, upon a request of The Holy Bishop's Assembly, submit proofs and witnesses about his hard double sexual life with both sexes." *(INCLOSURE No. IV*—The same Association p. 157).

Dionisije fell to the level of before christian pagans about whom St. apostle Paul is saying: "When they professed themselves to be wise, they became fools. Wherefore God also gave them up to uncleanness through the lusts of their own hearts, to dishonor their own bodies between themselves . . . men with men working that which is unseemly . . . (ROMANS chp. 1. v. 22, 24, 27).

DIONISIJIE HETERODOXY (NON-ORTHODOXY)

The scandalized moral life of Bishop Dionisije is a proof of his spoiled brain. He drowned in sin that he is not any

more in position to stay in truth and to differ it from lie. For the orthodox teaching is not existing any more. For he everything is the same and all unpermitted in teaching he permits and justifying as orthodox.

One protestant woman wanted to pass to the orthodoxy without any previous preparation in orthodox religion. The orthodox priest remarked to her, that such transposing to orthodoxy is not permitted, but she replied, that does not see any difference between orthodoxy and protestantism. And when the priest asked about it the Bishop Dionisije he got the answer: that the Bishop is accepting sins of that woman and reprimanded the priest. *(INCLOSURE No. IV*—letter of Rev. Vladimir Milinkovich to Metropolitan Damaskinos, p. 133/3).

During the way Bishop Dionisije permitted to Very Rev. David Popovich in Pittsburgh to one groom of different religion only to read a prayer on Slavic language for passing to orthodoxy since he will not understand it anyway.

Similarly he did in case of one Czechoslovakian, unknown confession, 1944. He ordered to the priest that before burial service should read a prayer for passing to the orthodoxy.

Dionisije gave an order to a priest of Minnesota in 1959 to put in Book of Baptized one child of some Serb soldier of Minnesota, without any additional instructions. Priest didn't do considering it as uncorrect. *(INCLOSURE No. IV*—Letter of Rev. Mladen Trbuhovich of San Diego, Calif. of 1962, p. 137).

Scandalized by life of Dionisije "young and enthusiastic hieromonah Timotije Tepshich left not only The Monastery but the Diocese in which he worked as mole and because of Bishop Dionisije he left the orthodoxy too." *(INCLOSURE No. IV*—letter from Chicago to Metropolitan Damaskinos of 1962 p. 165/5).

Page 17.

To Episcopal church passed a celibate priest Petkovich who was in Pittsburgh their priest. Before he was an orthodox priest in celibate in Pittsburgh of 1941-1942. He was convinced by Bishop Dionisije to marry after the ordination and he remained orthodox priest one year over. *(INCLOSURE No. IV*—letter of Mladen Trbuhovich, p. 139).

Newspaper "FREE WORD" of 1944 published a document that, after the ordination, protosindjel Danilo Kozomara, parish priest of Glaerton, Pa. . . . After that he elevated him to the rank of Archmandrite. He recommended him to the holy Bishop's Synod to be bishop. *(INCLOSURE No. IV*—letter of Trbuhovic, p. 139).

He ordained one chemist, married with a divorced wife. By her help he came to that rank. Now he is archpriest. *(INCLOSURE No. IV*—Association of University educated theologians, p. 169).

Two other candidates he ordained even though their wives prior were married. In that very moment of ordination one of them wasn't divorced from her first husband. In other case wife of candidate had an illicit child with another person in the very moment she married by church marriage with a future priest. *(INCLOSURE No. IV*—Association . . . p. 171/10).

Very Rev. Milan Brkuch of Milwaukee, Wis. warned Bishop Dionisije before ordination "That Dusan Vavich, a theologian, is sick of epilepsy and that he is under police investigation in connection with an affair with some girl of 11 years old." Nevertheless Bishop Dionisije ordained him as priest. *(INCLOSURE NO XVI*—a written statement of V. Rev. Brkich of August 2, 1963, p. 313/20).

Bishop Dionisije does not care for canonical rules regarding of preparation of clergy before to perform the holy liturgy. It is said that three years ago, during a great

people's gathering on Shadeland, around 2 A.M. together with some young woman, holding under arms, to the place where lambs and pigs are barbecued, and drank a great quantity of hot whisky as well as eating of warm lamb a big piece. There were around him hundreds of younger visitors and two priests. When he finished with eating and drinking, joking with young people, he went out embracing his young attendant. The same day he performed the holy liturgy, the sacred sacrifice, and had the holy communion giving it to the serving priests. *(INCLOSURE No. IV* . . . Association of theologians . . . p. 207/10).

About the same event and under its signature gave its declaration.

Page 18.

Raja Milinkovich before witnesses Borko Borchich and Rev. Miodrag Djurich of Lackawanna. He sais, that might happen in the eve of Day of Mother Angeline Aug. 12, 1957 or 1958. Mother Angeline is protector of that place. On her day a round 10,000 Serbs are gathered. Among them that event of Bishop Dionisije was widely said. *(INCLOSURE No. IV*—Declaration of Raja Milinkovich p. 243).

Bishop Dionisije personally lost the spirit of Orthodoxy and understanding for orthodox views toward the church life. For that reason his accusers are saying, that unorthodox view everywhere is seen even in inside of our orthodox churches of his Diocese. When some old lady from Yugoslavia visited the U.S.A. she visited one church and it seemed to her that she is in some Roman Catholic church, then she said to her son, to bring her to some of our church. *(INCLOSURE No. IV*—Association . . . theologians p. 165).

With this circumstances no wonder why he permitted to priest of Indianapolis to transfer in parish home one room into chapel since they do not have any church building, and after to permit by telephone that he be chased out by those which don't care for church. *(INCLOSURE No. IV* —Rev. Milinkovich, letter p. 133).

Bishop Dionisije is accused for a scandal caused by his declaration, in American press, that he will pray God for Stepinac, whom communists are condemned because he is a good Christian." *(INCLOSURE No. IV*—letter to Metropolitan Damaskinos, p. 153/II).

In this spiritual and moral confusion Bishop Dionisije is permitting himself to serve the holy services with nonorthodox, and is forbidding the orthodox priests, not being in his jurisdiction, to serve in his Diocese. He forbade two Serbs, priests, under jurisdiction of Russian Metropolitan Anastasios, to serve in our holy churches but, he, himself, in the same time is participating in services with nonorthodox, heretics and schismatics bishops and priests, and giving to them the holy communion even they do not believe it." *(INCLOSURE No. IV*—Association . . . theologians p. 175-177/10-13).

MATERIALISM OF BISHOP DIONISIJE

"For where your treasure is there will be your heart also." (Matthew 6:21)

If attentively life of Bishop Dionisije is followed, and everything else required by a life, logically it must come to the presumption: that he, for a such life and action, must by some unpermitted way obtain some material and financial means. Another way could not be presumed. . . . From

Page 19.

further exhibition it will be clearly seen how Bishop Dionisije obtained its material means permitting him such a immoral life. Evidently, chaos in which he fell pushed him more and more to get the finance by some dishonest way.

The best estimation of Dionsije's wickedness gave Bishop Nikolai of Zicha, a venerable memory. He prayed by this way: "O, Lord God, give to my brother Bishop Dionisije health, chastity, power, love, endurance, prudence and everything else from Your innumerable gifts, but, do not give to him dollars because they will pull him out to the hole without a bottom." *(INCLOSURE No. IV*—Rev. Dusan Popovich—Memorandum p. 35/5).

These prophetic words of Bishop Nikolaj about the Bishop Dionisije became a truth. Some people asserts: that he has an immense property and big number of houses. On one place it was said. "So far as it is known to me, he has a big property in Californa. Some lands in California are with home buildings for rent.

In State of Illinois he has in several places houses and lots.

In Waukegan, beside of Lake Michigan, he has a lot and two-story building.

In Libertyville he bought a house in his name.

In Canada, in Niagara Falls, he has some property around 100 acres from 2 years ago.

Near Buffalo, State of New York, he has also a great property bought several years ago for a small amount of money.

Near to our Monastery he has an Old aged Home together with Slavko Stokovich from which he has exactly $1000.00 monthly income. *(INCLOSURE No. IV*—Letter to Metropolitan Damaskinos of Chicago of 1962 p. 142-143).

History of purchase of property of Shadeland is a special one from which Bishop Dionisije got a big capital on account of Diocese. They are asserting that he bought and sell some houses. The same is with this Diocesan property. In connection with this property are spread and said different stories. There are some reports in press about that work of Bishop, how is rich, etc. *(INCLOSURE No. IV*—Memorandum Dusana Popovicha p. 35/5).

Some people is showing approximate amount of money of that buying, and that he bought it for $39,000.00, gave for some repairs $800.00, and sold it to Diocese for $63,000.00. *(INCLOSURE NO. IV*—letter of Momchilo Dujich p. 117, the same and *INCLOSURE XII* p. 269).

Page 20.

The third are saying, instead to buy that property immediately on the name of Diocese, Dionisije bought it on his own name that he might pay less for it. After that he sold it to Diocese, that he could get more money for it. This property was bought for $35,000.00 and then sold to the Diocese for $60,000.00 plus expenses of transfer charging them to Diocese. But from his earning he didn't deduct donations from the people which came in first year. *(INCLOSURE NO. IV,* Association . . . p. 162-163).

The same is confirmed by some priests during the priestly meeting of November 19, 1962 with difference that it was said, that property was bought for $30,000.00 and sold to the Diocese for $63,000.00. *(INCLOSURE NO. XII* report from priestly meeting, p. 265).

A report of Auditing Committee is catastrophic for Bishop Dionisije, which was submitted on occasion of review of financial books of Shadeland of July 15, 1963. The committee is stating:

1. Shortage in the amount of $773.70;
2. There are not duplicate of 51 receipts from the time when Bishop Dionisije managed the property;
3. There are not another 30 duplicate of receipts with writing of Bishop Dionisije;

4. Loan on property on January 1, 1962 was $29,-090.63 and on December 31st of 1962 was of $51,-916.00 and on July 15 of 1963 was $73,208.97.
5. Manager of property Josef Getz is costing much more the property than he could bring profit to it;
6. Social security tax was not paid for six months in 1962 and for 3 months in 1963. Penalty for this was $197.05 and withholding tax was $887.88.

Auditing Committee says in his report, that this disorder came because the property wasn't managed properly according Diocesan By-Laws and because Bishop Dionisije took himself to manage from December 1, 1961.

This report was signed by: Milan Radakovich, president, U. Bulatovich member; Pane Jerich member and Milan Zunich, secretary. *(INCLOSURE NO. XII*—report of Auditing Committee of July 15, 1963).

According confirmed events Bishop Dionisije withhold for himself sum of $2,331 which he drew from a bank to be sent to the Patriarchate to Belgrade for its need as donation of some priests and church congregations.

For need of The Serbian Patriarchate in Jugoslavia it was sent by check No. 27271 $1200 of Lake Trust and Saving of Chicago, Ill. on Nov. 22, 1962. To the present time Patriarchate didn't receive that money, nor anything in that value from Bishop Dionisije, which indorsed check, as it could be seen on check itself. That was confirmed offically by the

XIV report of Patr. Exec. Board signed by Bishop Paul (p. 297).

For needs of Serbian Orthodox Church in Jugoslavia it was sent through First National Bank of Akron of Nov. 1, 1962 $130.00 as well as sum of $1,001 from the same bank by its check No. 24731 of Nov. 1, 1962. To the present time

Patriarchate didn't receive that money nor some equal value from Bishop Dionisije, who cashed those checks a it could be seen on checks themselves. And this was confirmed by Patriarchate Executive Board by its official statement of July 19, 1963. *(INCLOSURE NO. XIV*—report of Patr. Exec. Board of July 19, 1963).

Bishop Dionisije is charging immense amount of money for his travel visit of church properties, visits of churches and parishes as well as for marriages. That would be confirmed by the following examples.

In one occasion of 1962, Mrs. Andja Polich said to priest Momchilo Djujich, that she sent recently $400.00 to Bishop Dionisije to travel to California, but only he shouldn't take any money from Mission of Jackson. But she said: That Bishop Dionisije charged the Diocese for $300.00 and the Mission of Jackson $300.00. One young man from the committee of Jackson giving him that money, said to him—You are not our Bishop, you are a skunk." *(INCLOSURE NO. IV*—letter of Rev. Momchilo Djujich p. 107).

From minutes of Church Congregation of Joliet of Sept. 27, 1953 is seen, how he is eager for money, and that is the reason, that church Congregations are not calling him for their celebrations. There is: "On this meeting of June 18th opinion expressed was, that Bishop should not be invited, because always there is some misunderstanding for his expenses. In discussion it was stated, that Bishop for his expenses wants a sum of $50.00 and that is too much to be given." *(INCLOSURE NO. IV*—letter of V. Rev. Stevan Prostran to Metropolitan Damaskinos of October 21 of 1962 p. 85/2).

Bishop Dionisije blessed the marriage of .... with his bride from the United States of America-Ljubica. That was immediately after departure of Milinkovich from Jugoslavia to America, when he didn't have any

means for his support. Bishop Dionisije charged this performing of marriage $200.00. Money he asked by letter. Milinkovich had that check in his possession by which money to Bishop Dionisije he sent. *(INCLOSURE NO. X* —Written statement of Rev. Vladimir Milinkovich of July 18, 1963 p. 252).

According this situation it is not unbelieveable statement of the

Page 22.

Association of University educated Theologians, "that they know for two cases of SIMONIJO—(taking money for ordinations) even they have reasons to believe, that they are more such cases." (*INCLOSURE NO. IV* Association . . . p. 163 and *INCLOSURE NO. XII* p. 275).

Conclusion is clear. Bishop Dionisije forget the eternal evangelical truth: "Lay not up for yourself treasures upon earth, where moth and rust doth corrupt, and where thieves break through and steal. . . . For where your treasury is, there will your heart be also." (Mattsew 6:19, 21).

BISHOP DIONISIJE AS INTRIGUER by Glisha Rapsich

"Bishop could cause the two pictures
to hate each other on the wall,
And us unlettered peasants and workers
so much the more."

Bishop Dionisije is born as an intriguer. This inborn habit he developed and perfected to the heights of an art of the most famous artist, which is very hard to find an equal among the most spoiled men. Having come to this conclusion, John Duchich made complaints against Bishop Dionisije, who wanted to disrupt the friendship between him and Fotich. "Bishop Dionisije," Fotich said, "spread the intrigue among the people, that I came to America in order to grab the embassy from Fotich."

At that time John Duchich said to Glisha Rapsich, from Gary, Indiana: "Bishop could cause the two pictures to hate each other on the wall, and us unlettered peasants and workers so much the more." (enclosed No. IV—Rev. Dusan Popovich, from Chicago, Memorandum, page 29/2).

Intrigues of Bishop Dionisije are the only medium to assure himself against the individual and group attacks and criticism due to his scandalous and riotous living. And because of that he came to idea to use an old and proven method. *Divide et Impera.* Being on friendly terms with an individual or a group, he takes advantage to turn this group or individual against each other, using the filthiest intrigues which are lacking of any moral."

At the other place it is said: "Bishop Dionisije cannot stand anybody around him. First he succeeded with his intrigues to turn Bishop Nikolai and Bishop Irinej against each other. He threw out Bishop Irinej from his sleeping quarters. He was rooming with the Monastery's personnel, after he was thrown out. He had to go from Libertyville.

Bishop Nikolai being pressed by Dionisije . . . at first went to Slavko Stokovich, and then to the Russians in Canan". (enclosed No. IV—letter to Metropolitan Damaskin from Chicago at 1962, page 141).

Page 23.

Even there Bishop Nikolai was not left alone by Bishop Dionisije. That's why Bishop Nikolai on ten days before he died left this note written with the pencil: "Your Boss (thinking on Dionisije) is working for ten years already against me and wants to bury me alive." (enclosed No. IV—association . . . of seminarists, page 171/10).

"As an excuse that there was impossible to work with him, he ran away archimandrite Firmilian from Monastery and the office, so that he was wandering around for long time without any means for living."

V. Rev. Sava Mikovich is 80 years old. He is a witness of many wrong doings of Bishop Dionisije. That's the reason he was thrown out from Monastery and Shadeland. More than one year he wandered around. Finally, he returned to Jugoslavia—to "Crnogorsko-Primorska" Diocese. (enclosed No. IV—letter to Metropolitan Damaskin from Chicago at 1962, page 141).

That he could get rid of V. Rev. Svetozar Radovanovich, he hid some of his documents during the session of the church court, which he used as a reason to relieve him from all the duties. He was left in the street without any means for livelihood. Because of that Radovanovich used to say: "By the wishes of my Bishop I am eating the grass, and I am always fed." (enclosed No. IV—letter to Metropolitan Damaskin from Chicago at 1962, page 142).

Bishop Dionisije caused the intrigues between V. Rev. Ugljesa Jelich and the members of his Church Board, which made Rev. Jelich to leave the Libertyville. (enclosed No. IV—Same letter from Chicago at 1962, page 142).

In order to get rid of the executive board members of the Monastery's parish, Bishop Dionisije invited to dinner Miodrag Andrich and Spiro Milosevich. "They were given the task to attend the meeting and disrupt same. This they did. The same night he relieved the board from its duty, and stopped the outflow of the money from the bank. This he did not succeed, but he got rid of the board with one decision." (enclosed No. IV—letter from Chicago at 1962, page 146/6).

Bishop Dionisije "identified himself with the Church itself which is the blaspheme, and all those people who were faithfull to church and of social prominence, who critically looked upon him and his destructive work, he announced as traitors, godless, and the enemies of the church and made them as unwanted elements in the eyes of this land, which

circumstance took sometime a tragic consequences." (enclosed No. IV—Association . . . of seminarists, page 195/4).

The same way Bishop Dionisije acted toward the about tens of

Page 24.

were not on duty in the church. He "used the slanderous language on these men all around and with the lies of political nature he made them unwanted among the people." (inclosed No. IV—same association . . . of seminarists, page 173/11)?

To what limits the blindness and cruelty of Bishop Dionisije went in his intrigues, one can see from these two examples.

Bishop Dionisije is appointing the Reverend "Ljubisav Djurich to South St. Paul parish with a warm recommendation to the church board. At the same time he writes another letter to Dr. Korach to make impossible for Rev. Ljubisav to stay in the parish, since he was killing the people, good Serbs during his stay in Serbia. According to one investigation in So. St. Paul, the Commission found the work of Rev. Djurich as satisfying. But at the close of investigation a young man gave to Commission a letter of Bishop Dionisije addressed to Dr. Korach, after which Rev. Andra Popovich shouted: "This is awful and shame of Dionisije. In one letter he is praising him, in another he is seeking his head. . . . Ljubisav had to leave the parish because of Bishop Dionisije although the church court under his presiding decided differently. He threw out in the street a good priest with wife and two small children with nothing in his pocket and with no guilt whatsoever" . . . (enclosed No. IV—letter from Chicago at 1962, page 145/5).

Then another case of a young priest from Indianapolis. He says "that he was left without a parish, thanks to Bishop Dionisije." Presenting his case he said that Bishop wrote to him that he "must stay on the parish", and to the church board to get rid of him "from the parish." Both letters are written on the same day and both were signed by Bishop Dionisije." (enclosed No. XII report from Priest's Meeting in November 19, 1962, page 267).

Indeed, it is impossible to get anywhere with such a man. It is clear now that he could hold his position as the diocesan bishop only through the intrigues of such dimensions!

BISHOP DIONISIJE AS A MENTAL CASE

Reading charges and notifications by which different persons are accusing Bishop Dionisije for whatsoever misdoings, it is hard to not create an opinion that the words are about some mental case, crazy person of whom everybody should watch himself as of those mentioned in Gospel. Indeed, his name is legion (Luke 8:30). Since such an impression could

Page 25.

have a person reading such statements how much such expression must get persons which spoke with him and listened to his talking and looked at his misdoings. They are asserting that fact Stojan Lazarevich is writing: "That His Grace Dionisije is a hardly sick, pathologic person there is not any doubt. What I saw with my eyes and heard with my ears, personally convinced, it is so much really that could not be a subject of imagination. *(INCLOSURE NO. IV*—Stojan Lazarevich—report to the Holy Bishop's Synod, p. 59/2).

To the same conclusion got and other theologian persons. They are saying "All unchastened life of our Bishop was running for more than two decades, systematically

and with bigger and bigger pathology, always in foggy conditions and darkened sites, power of sin erupted irresistibly to the daylight and became obvious and scandalous on each step. *(INCLOSURE NO. IV* . . . Association . . . p. 157/2).

Very Rev. Stevan Prostran is writing: "Regarding the person of Bishop . . . he is a pathologic case and . . . fatal for all and for our Diocese." *(INCLOSURE NO. IV*—letter of Very Rev. Stevan Prostran, p. 85).

Much definite in diagnosis of sickness of Dionisije are professional doctors, very close to him persons. One of his "personal doctor" is saying that he already mental case." *(INCLOSURE NO. IV*—Association . . . p. 193/3).

Another is Dr. Urosh Seferovich, if he is not that personal doctor of Dionisije. He before people is saying: "I assure you, that to him (Dionisije) is no cure: he is perversive—sexually sick person." *(INCLOSURE NO. IV*—Rev. Dusan Popovich—Memorandum p. 33/4).

CONCLUSIONS AND RECOMMENDATIONS FROM THE UNITED STATES IN CONNECTION WITH BISHOP DIONISIJE

Very Rev. Stevan Prostran is writing:

"For God's sake, is any curing of that evil?"

Living beside of such a Bishop all normal persons are in confusion. They are wondering how that could be permitted that one maniac may play with chastity of people, to drop down dignity of a Bishop of Serbian Church and to swing with achievement of St. Sava as nobody else to the present time. So many times confirmed statement of Stevan Prostran is repeating. He writes: "I didn't hear anybody speak of our Bishop with respect, and all friends of church, in robe or without it, all the time are asking: For God's sake, is any curing of that evil? And Very Rev. Prostran giving a motion: If Bishop Dionisije could not

be persuaded to retire and move out then he should be judged and sentenced." And that may not look to

Page 26.

you that I am talking "post mortem", you could ask me to swear on it. Send to me a written oath and I will sign it." (*INCLOSURE NO. IV*—V. Rev. Prostran, letter p. 87 and 89).

Very Rev. Paul Zelich says: "He (Dionisije) is living in flesh and by flesh. He belongs to the world but not to the Christ and Christian church. We do not need for such a Bishop." *(INCLOSURE NO. IV*—Very Rev. Paul Zelich—letter p. 81).

People see it as only solution and exit from that chaotic situation in removal of Bishop Dionisije, since he led to that chaos. It is stated: Position in which is today our American and Canadian Diocese is about hopeless, situation to which led it personally His Grace Bishop Dionisije, what is not difficult to prove." *(INCLOSURE NO. IV*—Stojan Lazarevich—report p. 65/5).

Reason of all attacks on Bishop Dionisije and of present status of Diocese is: personal life of Bishop, which is without any moral, his negligence of his bishop's duty to the account of his transactions--private affairs." *(INCLOSURE NO. IV*—Stojan Lazarevich—report, p. 67/6).

For that reason, elimination of Bishop Dionisije from his post as Bishop of American and Canadian Diocese is CONDICIO SINE QVA NON—if it is desired and without it could not be taught not only unity of this Diocese with Serbian Orthodox Church but the Diocese as such." *(INCLOSURE NO. IV*—Stojan Lazarevich—report p. 71/8).

Similarly Momchilo Djuich is writing: He says: "Any decision of further connection of Dionisije with life of our Church means a destruction of this Diocese, and it is an immediate need to eliminate him, to wipe out him from the

life of our church, to remove him from stage of her life. Every decision and exit in further participation of Dionisije in our Diocese means her ruin." *(INCLOSURE NO. IV*—letter of Momchilo Djuich to V. Rev. Tomich of Sept. 25th, 1962 p. 109 and the same letter of Djuich to Metropolitan Damaskin of 1962 p. 101).

In one letter is a categorical demand the defrocking of Bishop Dionisije because "he horribly fell into drinking and sex. And he is doing it publicly, without any fear. Hundreds of events throughout the United States of America, where he traveled, could be documented, and every single case would be enough that from his head the crown should be taken off as well as cross, symbol of Lord Jesus Christ. Our people in talking among themselves are calling him—RASPUTIN. That is in short a true picture of his moral and his manly qualities. (*INCLOSURE NO. IV* —Letter of Metro

Page 27.

politan Damaskinos, p. 153/11).

In his letter to Bishop Chrisostomos, Bishop Sava (Sarachevich) written from America: "Proofs are terrible. Only father Toza Radovanovich has a photostat of a letter, what is a complete proof for two guilts for which, unquestionably, should be deprived of rank." (*Enclosure No. IV*—quoted letter p. 51).

To the Bishop Dionisije were known all of his sins as well as they didn't remain unknown to the public. To cover it he started to imagine about a rank of Metropolitan. Instead of expecting a sentence he looked for reward and praise. On account of that in one letter it was said: "Plunged in sin he dared lately to blackmail the Holy Synod and to ask rank of a Metropolitan. We believe, that in place of that rank he is deserving to pool out from the field of Lord and to be replaced by some honest and

able person which could elevate our Diocese to its worthy high among other Christian Church in America." (*Enclosure No. IV*—Letter to Metropolitan Damaskinos, p. 153/11.)

Some priests "put ice on head that couldn't be crazy" because of problems caused by Bishop Dionisije (*Enclosure No. IV*—Vladimir Milinkovich—letter, p. 133,) some of them have terrible family tragedies (*Enclosure No. IV*—Association . . . p. 173/11) and some of them start to follow him in a chasm." Many priests in jurisdiction of Dionisije, scandalized by his life and work, fell also to a sinful life, even those for whom we could swear that ideals of priests will never betray. But to sustain in parish and in grace of Dionisije, one should try to get characteristics of a sinner." (*Enclosure No. IV*—Asociation . . . p. 173/11.)

Sometimes people tolerated excesses of Bishop Dionisije, covered them, hid his defects because of the dignity of the Church. But when he dared to put himself above the Church, some scandalized and plunged to deeper sins, the majority rose up against him and remained on correct line of Church. One priest describes it this way: "I thought that it would be more useful to pray to God for him, what I made until the present time until he threw a knife into the heart of its Mother Church, who gave to him bishop's rank but he unworthily had it and held it through many years. . . He practically was a demon in man's figure.

Page 28.

It was importune to hide his sins, which he did openly not fearing God nor man. About his evil doing and satanism, books could be written and I am of the modest opinion that he overpassed Rasputin in prewar Russia. With him today are only those priests and monks which are of the same morals as he is and which are performing immoral things together, and it would be sure to stay with him and not to be with others of us." (*Enclosure*—Later sent documents—letter of Rev. Ljubisav Djurich of Minnesota of August 19th 1963 to Very Rev. Mladen Mladenovich, p. 368.

Another priest wrote in regard of Bishop Dionisije apostasy of Church this: "Here is a public conviction, that the Bishop himself put a needle deeply in health leg, and now is looking for help in vain." (*Enclosure No. IV*—Letter of Very Rev. Stavan Prostran, P. 99/3.)

From the next chapter will be seen how far in his spostasy and depotism and how much they are right those asking a justful sentence upon Canonical Disobedience of Bishop Dionisije unto the Church.

"Ane if he shall neglect to hear them, tell it unto the Church: but if he neglect to hear the Church, let him be unto thee as a heathen man and a publican." (St. Matthew: 18, 17)

In one of the earlier chapters the words of John Duchich were quoted about the moral blindness of Bishop Dionisije. In the following opinion of Duchich this is even more stressed: "There are people who are color-blind, but this one is moral-blind." (*Enclosed No. IV*—Letter of Rev. Mladen Trbuhovich, page 135.)

From everything which was said this far, in all chapters, about Bishop Dionisije it is clear of his moral and intellectual blindness. The correct conclusion would be this: "If he was a normal person, with the sense of responsibility, because of all these public and private charges against him, he would resign, regardless if he was right or wrong. But it looks like this does not concern him." (*Enclosed No. IV*—Letter of Very Rev. Stevan Prostran to Metropolitan Damaskin from October 21, 1962, page 85.)

Being that he is blind to everything inside of him and around him, Bishop Dionisije did not understand "The hour in which the Lord visited him."

Page 29.

For years Bishop Dionisije was critisized and attacked by our people who are faithful to our church in America because of his immorality and materialism through our press, privately and officially they are writing to certain persons and to Holy Episcopal Synod. Holy Church acted according to Holy Gospel: "Moreover, if thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother. But if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses every word may be established. And if he shall neglect to hear them, tell it unto the church: but if he neglect to hear the church, let him be unto thee as a heathen man and a publican." (St. Matthew: 18, 15-17.) Therefore, it is in the spirit of holy canons (74 canon of holy apostles) and the church-court rules (article 66) two times church has sent delegation of two bishops each time to Bishop Dionisije to get an answer from him in reference to all those charges against him. In both cases he avoided giving any answer on those charges against him, justifying his stand with an unjust reasons and blamed Holy Episcopal Synod and assembly, that they acted incorrectly unto him and that they are the ones who are blamed for "Split" of the Church and his "breaking away" from the Mother Church.

That Bishop Dionisije, in this instance like in all previous ones, does not speak the truth, one can see from the following: Rev. Pavle Zelich writes: "Dionisije raised the question a long time ago about the split of our Diocese from Mother Church. . .

That was somewhere before coming to America of today's Serbian Patriarch His Holiness Gehrman—before any priest could learn anything about his coming—it was announced on Priests Convention that we have to break away from Patriarchate . . . .

The Priests at Convention took this explanation for granted and unanimously voted for split. And then started an unexpected change: Bishop Dionisije, who till that time calmly listened to what was going on, suddenly shouted that he won't allow any split of our Diocese from Mother Serbian Church; and continued that he is accused and that he will defend himself: defend, defend and defend and will not simply hand over the Diocese to anybody." (*Enclosed No. IV*--Rev. Pavle Zelich—letter, page 73.)

Page 30.

First of June, 1962, he announced about the split from the Mother Church, and later he withdrew that, since the Priest's Association took the opposite stand (enclosed No. IV-Rev. Vladimir Milinkovich-letter, page 131).

The stand of Bishop Dionisije was antagonistic even unto the first delegation of Serbian Orthodox Church in 1962, and the second delegation in 1963. So, in "Canadian Srbobran" . . . he wrote another article in which he clearly announces the split in our Church if his satanic wishes and ambitions are not satisfied." (enclosed No. IV-Rev. Momcilo Djuich-letter, page 105). Again in "Canadian Srbobran" (No. 478 from Sept. 20, 1962), under the heading: "Coming of Patriarchate's Delegation" Bishop Dionisije takes an antagonistic stand toward the Serbian orthodox church. (inclosed No. IV—Momcilo Djuich-letter, page 121).

When the delegation came to America, those of the Serbian Orthodox Church, Sir Mitropolitan Damaskin and Sir Bishop Nikanor, Bishop Dionisije behaved before them "with sarcasm and calculation" (enclosed No. IV—Memo-

randum of Rev. Dusan Popovich, page 47/11). He had criticized all the bishops privately and publicly. Somewhere in his letters he recommends to people and the priests to greet them nicely, but verbally he used to give them quite the opposite orders and directions. Quite often he distributed leaflets against them; at the banquet in Chicago he held a provocative speech. He was bothered with the idea to run away the delegation: "With them to the airfield, in New York, and let 'em go to their Tito", he used to day. Andja Polich used to say that she hardly succeeded to bring the delegation to Los Angeles (enclosed No. IV—Momcilo Djuich-letter, Page 107).

After the receipt of the document (official letter) from Holy Episcopal Synod No. 1664/min. 188 from May 10, 1963, Bishop Dionisije have announced on May 25, 1963, in writing, to the priests and the people: "I do not feel guilty. . ., neither the orders I do not accept which are forbidding me to officiate the church services." (enclosed No. XVII-circular letter from May 1963, page 319).

The same he confirms in his letter No. 794 from June 3, 1963, which was sent to His Holiness Serbian Patriarch Gehrman and to the bishops in which he says: "Having confirmed the receipt of the letter No. 1664/min. 188 from May 10, this year, I am stating: I do not recognize the decision of the Holy episcopal assembly and the synod about the division of this one Diocese into three new dioceses, neither do I recognize my suspension

Page 31.

and the rights of governing the Diocese, neither shall I transfer the duty until the Diocesan Church-peoples Assembly meets, since the mentioned decisions are unconstitutional and against the law." (inclosed No. XVIII-letter of Bishop Dionisije, page 321).

At the Meeting of the Diocesan Council-Plenum of the Serbian Orthodox Diocese of America and Canada from June 6, 1963, Sir Bishop Dionisije had to say this: "Considering that the judgment against me is unlawful and unjust I am stating: that I do not recognize the same until the necessary investigation is conducted in this respect and until all the charges are sent to me for a legitimate answer. I have not refused even one up to date; I have requested this several times from Belgrade." (enclosed No. XVIII—written statement of Bishop Dionisije, page 327).

Bishop Dionisije goes even further in his disobedience to the Church. On "Vidovdan" June 28, this year, he wrote a circular letter, in which he is calling on breaking away from the Mother Church and to all church congregations in Diocese with a proclamation: "I will accept under the jurisdiction in this Diocese all the church congregations from all over the world which do not wish to stay under the subordination of Belgrade" . . . (enclosed No. XIX—circular letter of Bishop Dionisije on "Vidovdan" in Libertyville, entitled: The American-Canadian-Serbian Triumvirate, page 331)

Though the decision of suspension and the order by which he may not conduct the church services was not the punishment of Bishop Dionisije but the preventive measure foreseen by the Constitution of Serbian Orthodox Church, Dionisije is calling this "a punishment." Then he is requesting for himself the necessary investigation, and when the Holy Bishop's Synod by their decision No. 1986/min. 265 of 1963, has ordered to their graces bishops Hrisostom and Visarion to execute "The necessary investigation" against the accused Bishop Dionisije, he announces in his letter in St. Sava Monastery on "Vidovdan" 1963: "I will not go to any hearings or talks with this commission . . .

I'll take the advantage . . . the rights of contact by way of correspondence . . . I cannot transfer the duty before the Church-peoples' assembly meets, and until the people say their judgment" . . . (enclosed No. II, page 23).

Bishop Dionisije tried to boycott the work of this delegation of Serbian church in Jugoslavia. In connection of this he had issued on June 29, 1963, an order to V. Rev. Simeon Crozdanovich in Shadeland, which reads: "Yesterday has arrived a new commission from Belgrade-two

Page 32.

they . . . cannot be neither in the Monastery nor on Shadeland . . . they will be searching for a place in which the Rev. Stevan Lastivica would take his monastic vows, after which he would be elevated to the rank of a bishop.

I order that he may not be ordained on Shadeland. Therefore, if they come there and request this, you will not open the Chapel, neither to receive them whatsoever." (enclosed No. XXI—photostat of the letter of Bishop Dionisije as of June 29, 1963, page 347).

Bishop Dionisije could find a little better place to meet with the bishops Hrisostom and Visarion than the Indian Club in Libertyville. By this, perhaps, he wanted to humiliate this church delegation from Belgrade and once more even before them to prove the correctness of the charges against him and the fact that he enjoys very much and quite often is visiting in the places like this one. At the meeting in this Club on July 5, 1963, Bishop Dionisije stated: "that he stands by all of his proclamations and announcements which have been made before and after the bishop's and synod's decisions". Understood, neither this one he cared to sign. (enclosed No. III-minutes written in Indian Club in Libertyville, on July 5, 1963, page 25).

Since the time of his suspension, Bishop Dionisije continued to execute various decisions, administrative decisions in Diocese, which were unlawful. He had relinquished

on June 7, 1963, from his duty the bishop's Aid the Archimandrite Firmilian, and on June 12 he relinquished from his duty as bishop's Aid the V. Rev. Milan Brkich, from Milwaukee, also the Rev. Dusan Klipa, from Clairton. In continuation of his decision he says: "I am calling on all Serbian priests and on all church-school congregations not to listen of any orders of the new administrators: of archimandrite Firmilian, of archimandrite Gregory Udicki, or of Rev. Stefan Lastavica, but in all their needs and questions they should turn to our Diocese, diocesan office and to us who with the Diocesan Executive Board and Church Court are governing the Diocesan matters." (enclosed No. XX—letter of Bishop Dionisije sent to Archimandrite Firmilian and proclamation of Bishop Dionisije on June 12, 1963, page 337 and 345).

Bishop Dionisije had refused to meet again with bishop Hrisostom on July 29, this year, on which, V. Rev. Branko Kusonjich, from Cleveland insisted. (enclosed XXIII—statement of proto-deacon Bozidar Tripkovich as of August 9, 1963, page 351).

Page 33.

Bishop Dionisije began to accept clergy from other dioceses and to make appointments. In a letter to Rev. Dusan Petrovich from July 1963, he says: "investigating your case, and having found that you were unjustly forbidden to perform the religious services . . ., and since I do not recognize the judgment against me, which was brought without any previous investigation and hearing, like in your case, therefore I am accepting you under the jurisdiction of the Serbian Orthodox American Diocese, giving you permission to perform religious services of which you were unustly deprived, and I am sending you for temporary to St. Nikolas parish in Indianapolis, Indiana" . . . (later

arrived material—two copies of Dionisije's letter to Rev. Dusan Petrovich from July 30, 1963, page 363-365).

It is in order to notice, here, an official statement and announcement of the Diocesan Executive Board of the Serbian Orthodox Diocese of America and Canada from their meeting as of April 17, 1963, where among other things the following is read: "In connection of some talks about the built of our Bishop Sir Dionisije and suppositions about some court hearings and his replacement, we are announcing that this is under the jurisdiction of the Holy episcopal synod and holy episcopal assembly of our holy Church in Belgrade, which will in connection with the subject matter make their resolutions and decisions." Following are the signatures of the members with the signature of Bishop Dionisije as the First.

It would be a miracle if Bishop Dionisije would stick to his statement. That is not the case. It is very typical of his own to break his work and everything what makes one a man. His activities after the suspension from his duty which includes that he may not conduct religious services, are fully in contradiction with his quoted statement.

To Bishop Dionisije was sent the decision from the Holy episcopal assembly EA No. 42/min. 2 from July 27, 1963, which reads: "The Holy episcopal Assembly of the Serbian Orthodox church had found, that His Grace Bishop Dionisije Milivojevich broke his episcopal vows and by that lost the rights from article 104, point (A) and (G) of the constitution of the Serbian Orthodox Church foreseen for the position of the Diocesan bishop, and on the basis of article III of the Constitution of Serbian Orthodox Church, is relieved from his duty as a diocesan bishop, and the Middle-western-American Diocese is now VACANT." (later arrived

Page 34.

material, page 378).

After this decision Bishop Dionisije officiated the matin service on the St. Ilija Day, on August 2, this year, in St. Sava Monastery, in Libertyville, and by that he broke the decision which forbids him to conduct the church services. (enclosed No. XXII-photograph of Bishop Dionisije with "epitrahilj" taken on August 2, 1963, by Danilo Simich, from Chicago, and his statement and of Rev. deacon Bozidar Tripkovich, who participated on that day on the matin service in Monastery, in Libertyville, page 349).

Also, though forbidden to conduct the services, Bishop Dionisije officiated and have consecrated the foundation for the erection of a new church building in Sudbury, Ont., Canada,—prove: a photograph with Bishop Dionisije in vestments during the consecration of foundation, published in newspaper: "The Sudbury Star" from October 7, 1963.

Bishop Stefan writes from America: "Bishop Dionisije more and more goes into the chism. He is very active in organizing of his "church" . . . As an example of his organizing activities enclosed is the photostat copy of the bid for the election of a permanent priest to St. Louis, in Western-American Diocese, signed by Bishop Dionisije", . . . (Later arrived documents—document of bishop Stefan of Eastern-American and Canadian Diocese D No. 125/63 to Holy episcopal Synod of the Serbian Orthodox Church and the photocopy of the bid from November 6, 1963, page 369-372).

Then the pamphlet which appeared under the heading: "New Bishops: Stefan, Firmilian and Gregory are uncanonically elected and they are lacking the power of the Holy Spirit" . . . pamphlet was not signed, but it leaves no doubt that was signed by Bishop Dionisije. (Later arrived documents-Bishop Dionisije: New Bishops . . . St. Sava Monastery-Libertville, Ill. September 20, 1963, page 374).

After the sufficiently gathered evidence in these material, by which the accused is charged, and suspended and relieved from his duty as an active diocesan Bishop Dionisije Milivojevich, one can see clearly all the transgressions of Bishop Dionisije, and that every one of these transgressions are severely punishable.

In every one of these headings there are so many canonical offenses of Bishop Dionisije that they require the loss of his Bishop's rank.

Page 35.

If he is immoral, psychic, which seems to be the truth, he should be disrobed, again, because of his ill behavior which has a very damaging influence on church and its other Serbian bishops.

Explanation and the motion for punishment.

In accordance of Article 3, By-laws and procedures of church courts of Serbian Orthodox Church, I am accusing as church prosecutor the guilty Bishop Dionisije for all church offenses here presented and on the basis of the material given to me on the disposal of the Holy Episcopal Synod, and which offenses were committed by Bishop Dionisije from the time of his arrival to America and Canada up to date, and which offenses are canonically questionable.

Our Church teaches: "A Bishop then must be blameless, vigilant, sober, of good behavior, given to hospitality, apt to teach; not given to wine, no striker, not greedy of filthy lucre; but patient, not a brawler, not covetous; one that ruleth well his own house . . ., for if a man know not how to rule his own house, how shall he take care of the church of God? (I Timothy 3: 2-5).

The guilty Bishop Dionisije has not got one of these given qualities, which are to advantage to a Bishop of Christ's Church.

I am accusing Bishop Dionisije who through those committed offenses broke his episcopal vows instead of safeguarding the canons of Orthodox Church. I am accusing him for breaking his monastic vows given in his promises: virginity, poverty and obedience to the Church.

Under the following titles of accusation: *Bishop Dionisije and Women; Materialism of Bishop Dionisije and Canonic Disobedience of Bishop Dionisije unto the Church* there is sufficient proof of Bishop Dionisije's guilts in connection of the breaking of his episcopal and monastic vows, which is making him to lose his bishop's rank. Therefore I am accusing him and asking that he should be disrobed as a bishop and in accordance: of By-law 2 of the VI Ecumenical Council; 25 apostolic rule; by-law 3, of St. Basil the Great; 14 and 15 rule the Council of Constantinople, and the articles 10, 15, 17 and 23 of by-laws and procedures for church courts of the Serbian Orthodox Church.

I am accusing Bishop Dionisije for not coming to the hearing when he was asked for by the church delegates, which is seen from the title:

Page 36.

Canonic Disobedience of Bishop Dionisije Unto the Church and in accordance of 74 apostolic rule, and 15 rule of IV local Council in Antioch and the article 66 by-laws and procedures of the church courts of the Serbian Orthodox Church I am asking that he is disrobed of his episcopal rank.

I am accusing Bishop Dionisije because of his activities against the interests of the Serbian Orthodox Church and who does not recognize its leader, which can be seen from the title of his disobedience and I am asking that he must be disrobed in accordance of 34 apostolic rule, and the article 49 of by-laws and the procedures for church courts of the Serbian Orthodox Church.

I am accusing Bishop Dionisije who is conducting religious services in other diocese and accepting the priests who are forbidden to perform the church services and appointing them in other dioceses on the parishes, which is seen from the title about the *Canonic Disobedience of Bishop Dionisije unto the Church,* and I am asking that he is disrobed of the episcopal rank in accordance of 15 and 35 apostolic rules; the 15 rule of the I Ecumenical Council; the 17 rule of the Council in Trula, the 3 and 16 rules of the Council in Antioch, and the article 18 of by-laws and procedures for church courts of the Serbian Orthodox Church.

I am accusing Bishop Dionisije for the material mismanagement of the church property on Shadeland and of hiding the donations in dollars to the Serbian Orthodox Church, which is seen from the title: *Materialism of Bishop Dionisije* and I am asking that he is disrobed from his episcopal rank in accordance of 26 rule of the IV Ecumenical Council; and the 11 rule of the VII Ecumenical Council: the 16 rule of the Council in Carthaga, and the articles 22 and 32 of the by-laws and procedures for church courts of the Serbian Orthodox Church.

From the Title: *Bishop Dionisije As Intrigurer* one can see how much he cared about his priests. I am accusing him for this carelessness and I am asking that he is disrobed in accordance of 58 and 59 apostolic rules.

Under the heading: *A Moral Image of the Suspended Bishop Dionisije Milivojevich* one can see that the Bishop Dionisije is a habitual drinker, adulterer and enjoys other vices, therefore I am accusing him and asking that he is disrobed of his rank, in accordance of 42 apostolic rule.

From the heading: *Dionisije's Heterodoxy* one can see that Bishop

Page 37.

Dionisije used to ordain the persons who are married to the persons who do not fit in their profession and because of that I am accusing him and asking that he is disrobed in accordance of 18 apostolic rule.

Presenting these charges to the Holy Episcopal Synod against the suspended and from duty relieved but still active diocesan Bishop Dionisije Milivojevich, I am remaining with all my demands that the same should be disrobed from his episcopal rank, and if he continues in his disobedience to the decisions of the Holy Episcopal Assembly and Synod he should be excommunicated from the Church in accordance of the articles 15 and 18 of by-laws and procedures for church courts of the Serbian Orthodox Church.

Obedient to Holy Episcopal Synod
October 16, 1963
Kraljevo (Bishop of Zion)
VASILIJE

PLAINTIFF'S EXHIBIT 17
COMMUNIQUE

TO ALL THE CLERGY, CHURCH-SCHOOL CONGREGATIONS AND ALL SERBIANS OF AMERICA AND CANADA:

According to the decision of the Holy Heirarchical Synod, No. 1986, Minutes 265 of the 13th of June, 1963, and upon the invitation of the plenum of the Diocese, an Investigating Commission of the Holy Hierarchical Synod of the Serbian Orthodox Church arrived in the United States of America on June 28, 1963, to carry out the investigative proceedings brought forth against His Grace Bishop Mr. Dionisije.

Upon its arrival, the Commission informed Bishop Dionisije by letter of its arrival and scheduled a meeting with him at the Monastery of St. Sava, at the seat of the Diocese in Libertville for July 5th, 1963, at which place it arrived at 11:00 A.M.

His Grace Bishop Mr. Dionisije refused to accept the Commission in the Bishop's residence and suggested that they meet in the local restaurant "Indian Club" for a discussion. Although it was surprised by this kind of welcome and procedure, the Commission accepted this.

Due to the fact that about 15 persons, consisting of clergymen and laymen were in the company of Bishop Mr. Dionisije, the Investigating Commission requested that these persons not be present at the discussions.

Thereupon, the Commission immediately invited Bishop Mr. Dionisije to present himself at a hearing, which invitation Bishop Mr. Dionisije declined, stating that he stands behind all his circulars and statements issued both before and after receipt of the decisions of the Holy Heirarchical Assembly and Synod, and that he does not accept the decisions of the Assembly and Synod.

Due to this action and statement by His Grace Bishop Mr. Dionisije, it is absolutely confirmed that he trampled on his hierarchical oath and that he renounced obedience to higher Church Authorities, thereby committing, among others, violations of Articles 10, 15, 17, Rules and Procedures for Church Tribunals (Ecclesiastical Courts) of the Serbian Orthodox Church, which violations carry with them the greatest church punishment of stripping of Episcopal rank and excommunication from the Church community. Therefore, we call upon all clergymen, all Church-School Congregations and all the faithful Serbian sons and daughters of the Orthodox Dioceses: Middle-American, Eastern-American and Canadian and Western

American, not to subordinate themselves under any circumstances to Bishop Dionisije, who is suspended by the canonical decision of the Holy Heirarchical Assembly and Synod, but to submit themselves in everything to the canonical temporary administrators; Archimandrite Dr. Firmilian Ocokoljich, Archimandrite Gregory Udicki, and Protosindjel Stephan Lastavica who will administrate all Church affairs in accord with the standing Church Rules and Canons.

With God's Blessings,

(Signed) Rt.Rev. Chrysostom, Bishop of Branicavo

(Signed) Rt.Rev.Visarion, Bishop of Banat

6 July 1963

Milwaukee, Wisconsin

PLAINTIFF'S EXHIBIT 18

of The

SERBIAN ORTHODOX CHURCH

Number 3488

November 12th—1963 year

in BELGRADE

THE CONFIRMATION

The Holy Bishop's Synod is confirming by this the follows:

1. That the Holy Bishop's Assembly of the Serbian Orthodox Church by its decision ASNo.20 and 21/minute 77 of may 10th 1963, and in conformity of Art. 16 of Constitution of the Serbian orthodox church, from than Diocese in the United States of North America and Canada, FORMED THE THREE new dioceses as:

Eastern American and Canadian,
Meadle Western American and
Western American.

2. That on the basis of the same decision of the Holy Bishop's Assembly, His Grace than Bishop of the diocese

for the United States of North America and Canada, is remaining further, Bishop Dionisije, as Bishop of the newly created Meadle Western American dioces with its seat in Libertyville.

3. That in fulfilling the decision of the Holy Bishop's Assembly ASNo.20 and 21/Minute 77 of may 10th 1963, The Holy Bishop's Synod by its own decision No. 1664/ Minute 188 of may 10th 1963 year ordered The initiation of Due Process against His Grace Lord Dionisije Milivojevich, The Meadle Western American Bishop, according the charges aaginst him, suspending him of priestly-performances with a cutting to one half of his salary and releasing him from the governing of the Diocese until his guilt is investigated and judged.

His Grace Bishop Lord Dionisije was notified about it and invited that the duty of the governing of the diocese, entrusted to him (MEADLE WESTERN AMERICAN), to submit to its new appointed administrator Dr. Firmilijan Ocokoljich, his episcopal deputy and parish priest of Serbian orthodox church in Pittsburgh.

4. Since His Grace Bishop Lord Dionisije is not submitted to the mentioned decisions of his higher proper authority, and in the meantime, since he did and other legal and canonical guiltiness, The Holy Bishop's Assembly on the basis of Artical 111 of the Constitution of The Serbian orthodox church, by its decision AS No. 42/minute 2 of july 27 of 1963, released him of duty of diocesan Bishop and the Meadle Western American diocese declared vacant.

5. That the Holy Bishop's Assembly by its decision of AS No. 43/minute 2 of july 27—1963 has elected the Very Rev. Archmandrite Dr. Firmilijan Ocokoljich as the Bishop of vacant Meadle Western American diocese with its seat

in Libertyville, Illinois—U.S.A., to whom his Grace Bishop Lord Dionisije is obliged, as it was previously decided, to give up the diocese as to his legal successor.

The main Secretary
of The Holy Bishop's Synod
Mladen Mladenovich
archpriest, signed.

This translation done and subscribed personaly
by The Rt.Rev.Bishop Dionisije
The Rt. Rev. Bishop Dionisije

Subscribed and Sworn to before me this 5 day of *October* 1967.

Bettye Lukenbill
Bettye Lukenbill
Notary Public

PLAINTIFF'S EXHIBIT 19
November 18, 1963
Monastery of St. Sava
Libertyville, Illinois

To:
The Holy Bishop's Synod of
the Serbian Eastern Orthodox Church
Belgrade, Yugoslavia
Your Holiness,

This is to acknowledge receipt of the official document of the Holy Bishops' Synod no.3215/min.509, dated Oct. 18, 1963, with attached INDICTMENT of the Church-Court Prosecutor, His Grace Bishop of Zica Mister Evasilije. This I received on November 3, 1963, and the official document itself arrived at the Libertyville post office on Oct. 31, 1963. The Indictment is written on a typewriter, on 38 typed pages.

As the material in question was quite abundant, and God's and people's justice foresee and bid, it was necessary for me to know it in details before my replying to it and day of hearing and my answer to the indictment, I kindly request the Holy Bishops' Synod:

1.—To allow me an extended term (for my reply) to 6 months (180 days), counting from Dec. 1, 1963.

The Rule 19 of the Carthagene Assembly, mentioned by the Holy Bishops' Synod, equally relates to the day of hearing and the one of the trial, and the time of reply, at the same time foreseeing extension of the term as well. This rule supposed that an accused Bishop should be at least in the same state, on its territory; and I do not only live in another state but another continent.

The Serbian Eastern Orthodox Church Court Procedure, paragraph 109, foresees, flexibility, moving of terms by the competent authority; and I do not deny the competence of the Holy Bishops' Assembly and Synod; and the Holy Bishops' Synod can—if wishes—to allow me the required term. Thus, taking my rank away from me in a planned way could at least be covered by some meeting of a requirement of accused Bishop Dionisije.

Besides, two weeks ago, I had a traffic accident (automobile crashed) and my spine is hurt, and I have to get cured. I have doctor's certificate to prove that, and also X-ray films, if you do not believe me. When I recover a little so that I can walk a little better—and I need for purpose of making my defense to visit many places O I shall give my detailed reply to the Indictment received.

2.—On the ground of my legal right, to paragraph 81 of the old Rules for Courts as well as paragraph 67, item 4 of the new Rules (Procedures), I require all the reports, complaints and denunciations to be sent to me

copied and verified, all that is mentioned in my Indictment. The expenses of the copying I shall personally bear in conformity with the above paragraph of the Procedure.

I authorize three priests Mr. Kosta Lukovic, Dusan Vasic and Milisav D. Protic to carry out the transcribing in question. Attached hereto please find my personal Power of Attorney which you kindly hand over to them.

In case they refuse to do so because of various reasons, I shall find somebody else to do so, and this can be accomplished in the Holy Bishops' Synod Office, provided that during the transcribing neither a line nor a word should be omitted. In case the Holy Bishops' Synod Office performs the copying I will undertake all expenses, too.

Truly
Bishop Dionisije
(signed)

PLAINTIFFS' EXHIBIT 20

HOLY SYNOD OF BISHOPS
OF THE SERBIAN ORTHODOX CHURCH
3676/minutes 647
December 10, 1963
Belgrade

The Holy Synod of Bishops of the Serbian Orthodox Church as the court authority in the penal case of His Grace, Bishop Dionisy Milivojevich in its session evaluated the petition of the accused Bishop Dionisy to prolong the time from one month to six months for his answer to the list of charges of the church court prosecutor and that the copies of the accusations named in the list of charges should be sent to him, and after evaluating the petition.

DECIDES:

1. In accordance with Canon No. 19 of the Council of Carthage the time is extended one more month to the accused Bishop Dionisy Milivojevich to present to the Holy Synod of Bishops his written answer to the received list of charges with the understanding that this extension should be considered from the date of the receipt of this decision.

2. The petition of the accused, Bishop Sir Dionisy Milivojevich that the copies of the proving material of the charges which are cited in the list of charges received by him, can not be granted, the reason being that there is nothing in existence of canonical or any other rules of the law, inasmuch as the charges already given to him contain the description of his penal offenses according to the time, place and the manner in which they were committed as well as the proofs for the same.

Against this decision, there is no place for appeal.

From the session of the court tribunal of the Holy Synod of Bishops on December 10, 1963, No. 3676, Minutes No. 647, in Belgrade.

For the President
of the Holy Synod of Bishops,
Member, Bishop of TIMOK
Emilian

His Grace
Sir Dionisy, Bishop
St. Sava Monestery,
Libertyville, Illinois

PLAINTIFF'S EXHIBIT 21

JUDGMENT

OF THE HOLY EPISCOPAL COUNCIL OF THE SERBIAN ORTHODOX CHURCH WITHIN WHOSE JURISDICTION IT IS TO JUDGE THE OFFENSES OF BISHOP DIONISIJE MILIVOJEVICH FROM LIBERTYVILLE, U.S.A. WHO IS INDICTED BY VASILIJE, BISHOP OF ZICA, IN HIS OFFICIAL CAPACITY AS THE PROFESSOR OF THE SERBIAN ORTHODOX CHURCH

THE FOLLOWING SAT IN JUDGMENT:

GERMAN, Serbian Patriarch, Presiding

MEMBERS:

Damaskin, Metropolitan of Zagreb
Nektarije, Metropolitan of Dabro-Bosnia
Danilo, Metropolitan of Montenegro and the Costal Region
Emilijan, Bishop of Timok
Jovan, Bishop of Nis
Valerijan, Bishop of Sumadija
Makarije, Bishop of Srem
Nikanor, Bishop of Backa
Vasilije, Bishop of Zica
Hrizostom, Bishop of Branicevo
Visarion, Bishop of Banat
Emilijan, Bishop of Slavonia
Longin, Bishop of Zvornik-Tuzla
Simeo, Bishop of Gornji Karlovac
Vladislav, Bishop of Zahum-Hercegovina
Pavle, Bishop of Ras-Prizren
Andrej, Bishop of Banja Luka
Stefan, Bishop of Dalmatia
Jovan, Bishop of Sabac-Valjevo

I

The prosecutor of the Serbian Orthodox Church, with his indictment of October 16th, 1963, together with a supplement to the indictment, of March 5th, 1964, indicted Bishop Dionisije Milivojevich for the following ecclesiastical-canonical transgressions:

For breaking his episcopal oath and for refusing to submit to the decisions of the highest Church authorities—the Holy Episcopal Council and Synod of the Serbian Orthodox Church;

For his refusal to participate orally and directly in an investigation before the Investigating Committee of the Holy Episcopal Synod, concerning the charges submitted against him;

For officiating in Church ceremonies and for performing the duties of diocesan bishop after having been indicted and suspended from the performance of Church ceremonies, and relieved of the duties of diocesan bishop;

For accepting clerics who had no canonical release, as well as persons who were under suspension from the performance of Church ceremonies, and for entrusting them with parochial duties;

For committing wrong-doings of a material nature and for conducting himself in a manner unbecoming priestly rank and position;

For ordaining and bestowing ecclesiastical ranks of honor on such persons who, according to the canons do not possess the necessary qualifications for ordination; and

For proclaiming the Serbian Orthodox Diocese of America and Canada fully autonomous and separating it from the mother, Serbian Orthodox Church, at the so-called "Church National Assembly", held November 13th and 14th, 1963.

For these offenses, the prosecutor for the Serbian Orthodox Church asked that Bishop Dionisije Milivojevich be divested of both his episcopal and monastic ranks.

II

Upon hearing the Indictment of the prosecutor for the Serbian Orthodox Church, submitted against Bishop Dionisije Milivojevich, and upon study of all documents related to this criminal case, and upon completion of the presentation of evidence—on the basis of Canon 6 of the II Ecumenical Council; Canons 14 and 15 of the Antiochian Council; Canon 12 of the Council of Carthage; Articles 7 and 69, Points 27/B and 214a, Points 1, 2, 3, and 6 of the Constitution of the Serbian Orthodox Church and paragraphs 1, 2, 9 and 12 of the Constitution of the Serbian Orthodox Diocese of the United States of America and Canada, the Holy Episcopal Council of the Serbian Orthodox Church, as the judicial organ—

ADJUDGES:

Bishop Dionisije Milivojevich of Libertyville, U.S.A., born on July 13/26 year 1898 at Rabrovac, near Palanka of Smederevo, Yugoslavia; elected bishop on June 9/22, 1938; consecrated August 8/21, 1938; appointed by the decree of the Holy Episcopal Council of the Serbian Orthodox Church, EC, No. 218/Min. 81 of December 8th, 1939, as the Bishop of the Serbian Orthodox Diocese of America and Canada, with no previous conviction, be punished by *divestiture of his episcopal and monastic ranks* (Article 216, Points 8 and 10 of the Constitution of the Serbian Orthodox Church), and be removed from the roll of the hierarchy of the Serbian Orthodox Church, and be returned to the status of layman, under his secular name, Dragoljub Milivojevich, in consequence of his committed offenses:

a. Conduct unbecoming to the clerical rank and position, (42 Apostolic Canon; Constitution of the Serbian Orthodox Church, Article 214, Point 2; Regulations and Procedures for the Ecclesiastical Courts of the Serbian Orthodox Church (Penal Code), Articles 22, 25, and 29).

b. Non-performance, that is to say, negligent performance of official priestly duties and legal ordinances of the superior ecclesiastical authorities, discussion and critism of their orders and procedures,

(Apostolic Canon 74; Constitution of the Serbian Orthodox Church, Article 214, Points 3 and 6, and Regulations and Procedures for the Ecclesiastical Court of the Serbian Orthodox Church (Penal Code), Article 30, Points 9, 32, and 38).

and *c. Against the established order of the Church and for schism.*

(Apostolic Canons 25, 34, 35, and 74; Council of Trulo, 17; Constitution of the Serbian Orthodox Church, Article 214, Point 1; Regulations and Procedures for the Ecclesiastical Court of the Serbian Orthodox Church (Penal Code), Articles 10, 15, 17, 18, and 45).

DOCUMENTATION

Accusations against Bishop Dionisije Milivojevich, made by the clergy and faithful of the Diocese of America and Canada, have been arriving for years at the offices of the Holy Episcopal Synod of the Serbian Orthodox Church, the Patriarch and individual bishops. All these accusations mainly stated that Bishop Dionisije either lives a life unbecoming his rank and position or that Bishop Dionisije is engaged in various secular transactions which are not permitted by Church canons, such as buying and selling of houses, properties and land parcels. In order to examine the justification of these charges against Bishop Dionisije Milivojevich, the Holy Episcopal Council of the Serbian Orthodox Church, by its decision EC No. 19/Min. 50, 1962, recommended to the Holy Episcopal Synod of the Serbian Orthodox Church to send a delegation to the United States of America to investigate, among other things, these accusations against Bishop Dionisije. The

Holy Episcopal Synod proceeded according to this recommendation and, after having given them the necessary instructions, appointed the Metropolitan of Zagreb, Damaskin, and the Bishop of Backa, Nikanor, to visit the American Canadian Diocese. They remained in this visit from September 13th to November 29th, 1962, and during that time, they visited Bishop Dionisije and a great number of the Serbian Orthodox parishes and Church congregations, and they came into contact with many of the priests and faithful of the American-Canadian Diocese. By the oral and written reports submitted to the Holy Episcopal Council of the Serbian Orthodox Church by the Metropolitan of Zagreb, Damakin, and the Bishop of Backa, Nikanor, it is seen that the accusations against Bishop Dionisije Milivojevich were well-founded, and that they were reiterated by the priests and the faithful at public meetings of the priests and the faithful; either in writing or orally, either in the presence of Bishop Dionisije or the delegation itself. That is why the Holy Episcopal Council of the Serbian Orthodox Church, at its meeting of May 10th, 1963, by EC Nos. 20 and 21/Min. 77, ordered the Holy Synod of the Serbian Orthodox Church to institute penal court proceedings against Bishop Dionisije Milivojevich. The Holy Episcopal Synod of the Serbian Orthodox Church proceeded according to this order of the Holy Episcopal Council, and by its decision Syn. No. 1664/Min. 188, of May 10th, 1963, it indicted Bishop Dionisije Milivojevich and suspended him from the performance of priestly ceremonies with a reduction in his remunerations, until the judgment of the jurisdictional court. The Holy Episcopal Synod, by its decision Syn No. 1986/Min. 265, of July 13th, then sent to Bishop of Branicevo, Hrizostom, and the Bishop of Banat, Visarion, to the United States of America for the purpose of investigating the offenses of Bishop Dionisije Milivojevich.

As court investigators they were to examine the criminal responsibility of Bishop Dionisije, on the basis of the charges presented. They were also to collect evidence and hear Bishop Dionisije and witnesses, and upon completion of the investigative procedure, they were to turn the entire record of the penal case of Bishop Dionisije over to the Holy Episcopal Synod of the Serbian Orthodox Church, along with their report and recommendations. The court investigators, Bishop of Branicevo, Hrizostom, and Bishop of Banat, Visarion, proceeded according to the decision of the Holy Episcopal Synod, traveled to the United States of America, met with Bishop Dionisije Milivojevich on July 5th, 1963, not in the bishop's residence, but according to his wish, in a public place. They recorded his statement in the minutes of their meeting, which Bishop Dionisije later would not sign, even though he participated in their composition. During this meeting and hearing, Bishop Dionisije declared: that he will not answer no oral question, but wishes that all questions be put to him in writing; that he does not recognize the decision of the Holy Episcopal Council concerning the division of this diocese into three parts; that, according to this decision, he does not consider himself the bishop of the Middle-Western American Diocese, and that he stands behind all his circulars and announcements, made both before and after receipt of the decisions of the Council and Synod. Because of the fact that Bishop Dionisije refused to participate orally and directly in the investigation of his offenses, the Investigating Committee continued its work of collecting material evidence of his offenses, and recommended to the Holy Episcopal Synod of the Serbian Orthodox Church to call the Holy Episcopal Council of the Serbian Orthodox Church into special session, therein to elect as bishops, the Archimandrites: Firmilian Ocokojic and Gregory Udicki.

The Holy Episcopal Synod accepted the recommendation of the Investigating Committee and called the Holy Episcopal Council into special session on July 26th, 1963. At this session, the Holy Episcopal Council, at its meeting of July 27th, 1963, under EC No. 42/Min. 2, determined that Bishop Dionisije Milivojevich broke his episcopal oath, renounced obedience to his Church authority, and thereby lost the qualifications prescribed in Article 104, Constitution of the Serbian Orthodox Church, for the position of diocesan bishop. Therefore it relieved him of the duties of diocesan bishop and declared his Middle-Western American Diocese vacant. When it had accomplished its works, the Investigating Committee returned to (our) land and submitted its report concerning what had been done and concerning the gathering of material evidence of the offenses of Bishop Dionisije Milivojevich.

III

EVIDENCE against Bishop Dionisije Milivojevich for the offense—a) Conduct not becoming the priestly rank and position:

1. *Rev. Dushan Popovich, parish priest of Chicago,* asserts: that when he entered the United States of America, that is to say Chicago, he noticed with great surprise, that there reigned among the people there a very bad opinion about Bishop Dionisije; that it is being *openly said* that Bishop Dionisije has relations with Milka Suka of Libertyville, and that he read a letter of *Protopriest Milan Rakich of St. Louis,* stating that one day, *Bishop Dionisije made rude advances toward his parishioner Ann,* who had brought her children to the children's camp *at Shadeland.*

2. *Ljubisav Djurich, priest of St. Paul, Minnesota, asserts:* that Bishop *Dionisije made advances at many women;* that on the eve of Pentecost, 1953, *he took him to*

a hotel to sleep; that at that time, Bishop *Dionisije requested that he find him a young woman, but only the kind that can keep a secret, and that he had then said he cannot live without women;*

3. *Vladimir Milinkovich, priest of Indianapolis,* asserts: that Bishop *Dionisije asked him and his wife, Ljubica,* on *April 5th, 1962, about his parishioner Evelyn Petrovich, and requested that they talk her into going to California with him, for it would not be "bad" for her if she did;*

4. *Stevan Prostran,* Protopriest of Joliet, Illinois, asserts: that the relationship of Bishop Dionisije towards the female set falls in (the category) of sexual criminality; that Bishop Dionisije once said to his daughter-in-law: you know, my lady, my backside has become so hardened that it no longer feels blows; and that his parishioner, Mile Radakovich, former president of the Serbian National Federation, complained that Bishop Dionisije made advances toward his daughter Mary;

5. Dr. Dushan Silasky, attorney, former legal counsel for the diocese, wrote in the newspaper "Jedinstvo" (Unity); that Bishop Dionisije is the most unworthy and most shameless personality that ever held the position of diocesan bishop in the history of the Serbian Orthodox Church; that the business transactions of Bishop Dionisije have become intolerable and that they have no connection with Church matters; that it cannot be expected that the bishop's intrusions on the sanctity of the family institution, his unceasing caressing of women and girls will forever remain under cover, un-noticed and concealed;

6. Slavoljub Radovich, a former officer of the King's Guard, of Chicago, asserts: that he saw a happy and laughing Bishop Dionisije in the saloon of Sreten Gajich of Chicago; that in the presence of Mrs. Gajich, he flirted with Mrs. Dimitrijevich, touched her with his hands about the

face and back; that he met with Mrs. Dimitrijevich in the Gajich home; that he committed many disgraceful and shameful acts with the female set, among which is included his public scandal with Miss Rada Milentijevich. She came as a student from Yugoslavia to America to be married, but this was spoiled by Bishop Dionisije; that Bishop Dionisije bought an automobile for Rada Milentijevich and gave her money to open a hotel in Paris;

7. Stoyanka, the wife of the priest Radoslav Kovacevich, of Indiana Harbor, asserts: that on November 14th, 1960, Bishop Dionisije squeezed her hand; gazed at her with a fixed look; told her not to bear so many children, that there exist means against conception, and described the methods of their use;

8. Stoyan Lazarevich, a musicologist of Chicago, asserts: that he saw Miss Rada Milentijevich lives at the Monastery of St. Sava, Libertyville, and that she had a new car which, it is asserted, was bought for her by Bishop Dionisije;

9. Mary Drito of Springboro, asserts: that she is the first neighbor to the Church property at Shadeland; that she visited Bishop Dionisije and met him on August 12th, 1961; that a day or two later, without any notice, he paid her a visit; that during this visit he had made amorous approaches to her which shocked her, and that he tried to molest her, but that she succeeded in resisting and escaped from her home;

10. *Protopriest Emilijan Glocar,* parish priest of Akron, asserts: that Bishop Dionisije made advances toward his wife, Bosiljka; that she complained, and that she was ashamed at what the bishop was attempting prior to a worship service, and pleaded with him not to leave her alone with Bishop Dionisije;

11. *Dushan Popovich,* parish priest of Chicago, asserts: that Bishop Dionisije bought and sold houses and properties, and that when he bought the Church property at Shadeland, he first bought it on his name, then later sold it to the American-Canadian Diocese;

12. On June 8th, 1962, the Association of Theologians of America, in their presentations, directed to the Patriarch, assert: that Bishop Dionisije bought the Church property at Shadeland for himself, then later sold it to the American-Canadian Diocese for a far greater sum.

IV

EVIDENCE against Bishop Dionisije for the offense—b) Non-performance, that is to say, negligent performance of official priestly duties and legal ordinances of the superior ecclesiastical authorities, discussion and criticism of their orders and procedures:

1. The newspaper, "Slobodna Rec", in 1944 announced that Bishop Dionisije, in opposition to canon law, decorated Protosingelos Danilo Kozomora, parish priest of Clairton with the rank of Archimandrite, even though he knew that he, as a monk, contracted a marriage and transgressed the monastic vow of chastity;

2. From the statement of Abbot Mitrofan Kresojevich, parish priest of Cincinnati, it is seen that Abbot Mitrofan was convicted by the civil court in Arizona on the list of December, 1953, as a homosexual. But this did not prevent Bishop Dionisije, three months later, from promoting him first to the rank of Protosingelos and then Abbot, and giving him a parish, even though according to canon law, he was not allowed to do this;

3. Protopriest Milan Brkich, parish priest of Milwaukee, asserts: that Bishop Dionisije, in opposition to canon law, ordained Dushan Vavich, a graduate seminarian, even though he warned him before the ordination that Dushan

Vavich is an epileptic and that he is under court investigation for arranging a lovers date with an eleven year old girl;

4. Raja Milinkovich of Lackawanna, asserts: that Bishop Dionisije ate lamb and drank hot whiskey early in the morning of the day of St. Mother Angelina, the 12th of August, 1957 or 1958, and that he served the Divine Liturgy that day;

5. The president and members of the Auditing Committee: Milan Radakovich, I. Bulatovich, Pavle Jerich, and Milan Zunich, assert: that they had determined at the time of the examination of the financial accounts of Shadeland, that 51 duplicate receipts were missing for the period from December 4th, 1961, to October 18th, 1962, when Bishop Dionisije personally managed the property; that the property is in debt and that the debt continually rises. On January 1st, 1962, it was $20,090.63 and on the 31st of December of the same year, it was $51,916.00. At the time of the examination of the financial accounts on the day of July 15th, 1963, the debt had risen to $73,208.97;

6. Trisha Simich of Cleveland, asserts: that Bishop Dionisije charged the church congregation of Cleveland 150 dollars for the approval of plans, and 150 dollars traveling expenses at the time of the blessing of the cornerstone for the new church in Cleveland, even though the traveling expenses from Libertyville to Cleveland and back do not exceed $30.00;

7. Sam Vignjevich, former president of the church congregation George in Pittsburgh, stated: that Bishop Dionisije requested to be paid traveling expenses in the amount of $100.00 for coming to Pittsburgh for the ordination of Milan Savich, a priest. Just before the Divine Liturgy itself, he requested $150.00 in cash, not by check, threatened not to enter the church until he was paid this sum, and it was then paid him;

8. Archimandrite Firmilian Ocokojich, presently the Bishop of the Middle-Western American Diocese, as former parish priest in New York, testified: that Bishop Dionisije charged $200.00 for the blessing of the iconostas in New York, and $200.00 for the blessing of the church in Elizabeth, New Jersey, which parish has only 30 homes. A month later, he charged that same congregation $200.00 for the ordination of the priest, Ilija Dajkovich; and

9. Vladimir Milinkovich, priest of Indianapolis, asserts: that Bishop Dionisije charged him $200.00 for his wedding.

V

EVIDENCE against Bishop Dionisije for the offense—
c) Against the established order of the Church and for schism:

1. From the declaration of Bishop Dionisije issued under the title "Important Announcement", Bishop Dionisije indicated that he will separate himself from the mother, Serbian Orthodox Church. He later withdrew this declaration because the Priest's Association in America took an opposing stand;

2. From a circular of Bishop Dionisije dated May 25th, 1963, it is seen that Bishop Dionisije sent a declaration to the clergy and the people, stating that he does not recognize the decision of the Holy Episcopal Synod of the Serbian Orthodox Church No. 1664/Min. 188, of the 10th of May, 1963, with which penal procedures had been instituted against him, and the suspension from the performance of priestly services, with a reduction in remunerations, was placed against him. Bishop Dionisije reiterated his refusal to recognize these decisions of the Holy Episcopal Synod in his Act No. 196, of the 3rd of June, 1963, which he directed to the Serbian Patriarch German, and in which he also wrote that he will not recognize the decision of the Holy Episcopal Council of the Serbian Orthodox Church under EC No. 20/Min. 77 of the 10th of May, 1963, concerning the division of the American-Canadian Diocese into three new dioceses: Eastern-American and Canadian, Middle-Western American and Western American, and the appointment of Administrators, until the decision of the Church National Assembly of the American-Canadian Diocese, and until all charges are presented to him for reply. Bishop Dionisije reiterated his disobedience of the decisions of the Holy Episcopal Council and Synod of the Serbian Orthodox Church at the meeting of the Diocesan Council—Plenum, June 6th, 1963. With his circular of June 28th, 1963, under the title "American-Canadian Serbian Triumvirate", Bishop Dionisije invited all the Serbian Orthodox Church Congregations throughout the world to place themselves under his protection, with this message: "I accept under the protection of this Diocese, all church congregations throughout the world, which do not wish to be subordinated to Belgrade". In another circular dated June 28th, 1963, beside requesting an investigation of his offenses, he stated: that he cannot attend any hearings or discussion with the Investigating Committee of the Holy Episcopal Synod of the Serbian Orthodox Church, but that he will make use of the right to be in contact with it through correspondence. On June 29th, 1963, he ordered Abbot Simeon Gvozdanovich at Shadeland not to receive the Investigating Committee at the Monastery of Shadeland nor to permit them to enter the chapel. Aside from the fact that he informed the clergy and the people in his circular that he will not come into direct contact with the Investigating Committee, Bishop Dionisije, on July 5th, 1963, met with it, suggesting the meeting take place not in the residence, but in a public place. In the presence of the Investigating Committee, he reiterated in

the record of minutes, his known statements that he will not obey the decision of the Holy Episcopal Council and Synod of the Serbian Orthodox Church concerning the institution of penal procedures against him, and concerning the division of the diocese; that he will reply to the Investigating Committee only on question presented in writing, and that he stands behind everything in his circulars and statements made both before and after the decisions of the Council and Synod.

He is translating into deeds all his statements, given in the circulars to the clergy and the people in his Act directed to the Serbian Patriarch and in the minutes of the Investigating Committee; that he will not obey the decisions of his highest superior Church authorities—the Holy Episcopal Council and Synod of the Serbian Ortohdox Church. Even though he has been relieved of his duties as diocesan bishop, Bishop Dionisije continues to work, and with his decision of July 7th, 1963, he relieves his Episcopal Surrogate, Archimandrite Firmilian Ocokoljich of his duties. On July 12th of the same year, he relieves the Vicar General, Proto-priest Dushan Klipa, parish priest of Clairton, of his duties. He receives Dushan Petrovich, priest and cleric of the Slavonian Diocese, without a canonical release and appoints him parish priest of the church of St. Nicholas in Indianapolis. He announces open competition for filling the vacancy of the parish in St. Louis. He invites the clergy and church congregations not to obey the orders of the administrators: Archimandrite Firmilian, Archimandrite Gregory, and Protopriest Stevan Lastavica, even though they were appointed by the Holy Episcopal Assembly. He invites them to turn to him and to his organs for all their needs. Also, even though he is under supension from performance of priestly ceremonies, Bishop Dionisije serves and performs the Church ceremonies. On

St. Elijah's day, August 2nd, 1963, he serves matins in the Monastery of St. Sava in Libertyville, and later he blesses the corner-stone for a new temple in Sudbury, Canada.

3. From the joint report of Bishops Stefan, Firmilian and Gergory, of August 26th, 1963, and from the resolution of the so-called X Church National Convention of August 8th, 1963, in Libertyville, it is seen that Bishop Dionisije presided over this Council and participated in bringing forth the Council's resoluton not to recognize the decisions of the Holy Episcopal Council and Synod of the Serbian Orthodox Church, concerning: the division of the American-Canadian Diocese into three new dioceses; his relief of duty as the diocesan bishop; the institution of procedures in the matter of his offenses; his suspension from the performance of priestly ceremonies, and the election and appointment of three new bishops. He requested that these decisions be withdrawn.

VI

1. From the joint report of Bishops Stefan, Firmilian, and Gregory of November 25th, 1963, No. 197, and from the decision of the so-called X Church National Convention held in Libertyville on November 13th, 1963, it is confirmed that Bishop Dionisije presides over the continuation of the work of this Convention on the 12th, 13th, and 14th of November, 1963. It is also confirmed that he participates in bringing forth decisions by which the Serbian Orthodox Diocese for the United States of America and Canada is proclaimed completely autonomous; that it will not as such, in the future accept any orders or decisions of the Patriarch, the Holy Episcopal Council and Synod of the Serbian Orthodox Church, up until the time they will be in a position to freely work and freely bring forth decisions, for they do this now under the pressure of the regime which is now in power in Yugoslavia. When this

government ceases to exist the same relations between this diocese and the Serbian Orthodox Patriarchate which existed before the Second World War will be reinstituted. The Diocesan Council and the Ecclesiastical Court are further empowered by a decision to seek the cooperation or help of any canonical Orthodox Church in the free world, in case of legal necessity, and with the purpose of ensuring the continuity of the legality of the Church and the unity of this Diocese, insofar as the hierarchial organization, that is to say, the reorganization of this Diocese will not have been by then carried out.

2. From the report of the Bishop of Eastern America and Canada, Stefan, No. 215, dated December 9th, 1963, and from the circular of Bishop Dionisije of the 8th of December, 1963, it is confirmed that the so-called X Church National Convention in Libertyville, on November 14th, 1963, elected Archimandrite Irinej Kovacevich bishop, and this his consecration was performed December 7th, 1963, by bishops of the self-named Ukranian Orthodox Church, Gregory and Genadije, whose canonicity is not yet recognized by the Conference of Orthodox Churches in America.

3. Bishop Dionisije, having earlier received the indictment of the court prosecutor, dated October 16th, 1963, he returned it to the Holy Episcopal Synod of the Serbian Orthodox Church, along with its decision syn. No. 3676 of the 10th of December, 1963. He returned it by his Act of the 25th of January, 1964, with the statement that he is returning it because the Holy Episcopal Synod did not grant him a six months time limit to write his answer to the indictment and the copies of the material evidence. By this action of his, Bishop Dionisije refused to continue further in the penal case being held against him.

VII

The offenses of Bishop Dionisije Milivojevich of Libertyville, U.S.A., are completely proven by the evidence presented in the documentation of this Judgment: that he conducted himself contrary to Church regulations, and in a manner unbecoming his rank and position; that he did not execute his duties with care; that he worked against the ordinances of his superior Church authorities; that he damaged the established order of the Church, separated himself from the Church and fell into schism. Therefore, the Holy Episcopal Council of the Serbian Orthodox Church, as an ecclesiastical organ, on the basis of Canons 6 of the Second Ecumenical Council; Canons 14 and 15 of the Antiochian Council; Canon 12 of the Council of Carthage; Articles 7 and 69, Point 27/B, and Article 214, Points 1, 2, 3, and 6 of the Constitution of the Serbian Orthodox Church, and Paragraphs 1, 2, 9, and 12, Constitution of the Serbian Orthodox Diocese of the United States of American and Canada, punished him with the punishment of Article 216, Points 8 and 10 of the Constitution of the Serbian Orthodox Church—divestiture of episcopal and monistic rank.

VII

The Court Prosecutor of the Serbian Orthodox Church, during the adjudication of the offenses of Bishop Dionisije, requested that the Holy Episcopal Council permit him to extend his indictment of the 16th of October, 1963, to include the offenses of Bishop Dionisije committed on the 13th and 14 of November, 1963, at the so-called X Church National Convention in Libertyville. These offenses came with the creation and declaration of the Serbian Orthodox Diocese of the United States of America as a diocese completely autonomous and separate from the Serbian Orthodox Church. They arise also from his granting consent

to create a non-canonical hierarchy outside the jurisdiction of the Serbian Orthodox Church in this way creating a schism in Her, through the non-canonical election of Archimandrite Irinej Kovacevich as bishop at an illegal Church National Convention and later through his consecration.

The Holy Episcopal Council of the Serbian Orthodox Church accepted this request of the Court Prosecutor and punished Bishop Dionisije for these offenses.

The supplementary portion of the indictment was not sent to the accused Bishop Dionisije, because with his Act of the 25th of January, 1964, he returned the indictment of the Court Prosecutor dated the 16th day of October, refused to answer it and refused to participate in further proceedings concerning his offenses. He did this because the Holy Episcopal Synod by its decision No. 3676/Min. 647, of the 10th of December, 1963, was unable to extend the time limit for writing an answer to the indictment to six months. According to the canons (Regulation 19 of the Council of Carthage), the time limit in an ordinary case is one month, and in a special case, two months. According to the Regulations and Procedures for the Ecclesiastical Courts of the Serbian Orthodox Church (Article 70), the time limit is only 14 days. The indicted Bishop Dionisije benefited from a two month time limit and did not answer the indictment, that is to say, he answered that he will not answer.

IX

The Holy Episcopal Synod of the Serbian Orthodox Church by its Act of the 25th of February, 1964, Syn. No. 357/Min. 78, informed the Holy Episcopal Council of the Serbian Orthodox Church, that regarding the confirmed gravity of the offenses committed by Bishop Dionisije

Milivojevich, it considers itself as having exhausted its authority as provided in Article 70, Point 35, of the Constitution of the Serbian Orthodox Church. Therefore, it brings the entire penal case of the indicted Bishop Dionisije before the Holy Episcopal Council with the recommendation that the Holy Episcopal Council bring forth a final judgment on it on the basis of Canon 6 of the Second Ecumenical Council; Canons 14 and 15 of the Council of Antioch; Canon 12 of the Council of Carthage; Articles 7 and 69, Point 27/B of the Constitution of the Serbian Orthodox Church. The procedure for judgment of a bishop is not sufficiently explained in our psotive Church legislation, and this procedure is sufficiently expounded on the canons of the Orthodox Church cited above.

The Holy Episcopal Council accepted this recommendation of the Holy Episcopal Synod, and on the basis of Canon 6 of the Second Ecumenical Council; Canons 14 and 15 of the Council of Antioch; Canon 12 of the Council of Carthage; and Articles 7 and 69, Point 27/B of the Constitution of the Serbian Orthodox Church, as the ecclesiastical organ, pronounced the final judgment concerning the offenses of Bishop Dionisije, as stated in the body of the judgment.

X

Being that this judgment was pronounced unanimously by all the members of the Holy Episcopal Council of the Serbian Orthodox Church, therefore, according to the 15th Canon of the Council of Antioch, it is final, and there is no appeal.

FROM THE MEETING OF THE HOLY EPISCOPAL COUNCIL OF THE SERBIAN ORTHODOX CHURCH, on the 5th day of March, 1964, in Belgrade, EC No. 1/ Min. 38.

S E A L

PRESIDENT
Holy Episcopal Council
SERBIAN PATRIARCH
GERMAN

MEMBERS:
Damaskin, Metropolitan of Zagreb
Nektarije, Metropolitan of Dabro-Bosnia
Danilo, Metropolitan of Montenegro and the Coastal Region
Emilijan, Bishop of Timok
Jovan, Bishop of Nis
Valerijan, Bishop of Sumadija
Makarije, Bishop of Srem
Nikanor, Bishop of Backa
Vasilije, Bishop of Zica
Hrizostom, Bishop of Banat
Visarion, Bishop of Banat
Emilijan, Bishop of Slavonia
Longin, Bishop of Zvornik-Tuzla
Simeon, Bishop of Gornji Karlovac
Vladislav, Bishop of Zahum-Hercegovina
Pavle, Bishop of Ras-Prizren
Andrej, Bishop of Banja Luka
Stefan, Bishop of Dalmatia
Jovan, Bishop of Sabac Valjevo

PLAINTIFFS' EXHIBIT 22

SERBIAN PATRIARCH

P. No. 44/64 March 16, 1964
Belgrade

Your Grace:

By this letter I wish to inform you that The Holy Assembly of Bishops of The Serbian Orthodox Church on its yearly regular meeting took into consideration subject of charges against former Bishop Dionisije and in its meeting of March 5th of this year by unanimous and with one mind decision of *all* diocesan bishops rendered a judgment by which above mentioned Milivojevich is punished by the position of Episcopal and monastic rank, eliminated from the catalog of the bishops—clergy and monks of the Serbian Orthodox Church and returned to laymen status under his lay name Dragoljub.

More detailed information will be sent later.

Your Grace's Brother in Christ
SERBIAN PATRIARCH
German

His Grace Bishop Firmilian
Bishop of the Midwest Diocese
Chicago, Illinois

PLAINTIFF'S EXHIBIT 23

GERMAN

BY THE GRACE OF GOD, ORTHODOX ARCHBISHOP OF PECH, METROPOLITAN OF BELGRADE AND KARLOVCI AND

THE SERBIAN PATRIARCH

With the Holy Bishops Synod of the Serbian Orthodox Church to the reverend clergy and God loving spirtual flock of the God-protected Eastern American and Canadian Diocese, the Grace and peace from Our Lord God and Saviour Jesus Christ, and from our humility, sends its Patriarchal blessing and greetings.

In constant care for the Church of God and in accordance with the rights of succession inherited from the Lord and Chief Sheperd Our Lord Jesus Christ and the Holy Apostles, guided by the Holy Spirit, the Holy Bishops Assembly of the Serbian Orthodox Church, in accordance with the precepts of the holy canons, has elected on Junell (May 19) 1967, His Grace Sava, Vicar-Bishop of Moravice, for Bishop of vacated God-protected Eastern American and Canadian Diocese.

We proclaim with this Certificate of Authority, provided with our seal and signature of the members of the Holy Bishops Synod, that His Grace Bishop Sava has, by the virtue of the Grace of the Holy Spirit, all rights of teaching, officiating and spiritual direction, which, in accordance to the holy canons, belong to him, so we call upon all the clergy and the faithful in the mentioned Diocese to obey His Grace Bishop Sava as good children do their parents, as pupils do their teacher and pastor and with their love and cooperation, and especially with prayers to the Almighty for him, contribute so that he may, with success

perform his service to the Glory of God and for salvation of his flock, and to the benefit of Our Holy Orthodox Church and of the Serbian people.

Given in the Patriarchate on June 5, 1967.

Number:2020/min.38, in Belgrade.

The SERBIAN PATRIARCH,

(Seal of Holy Synod) GERMAN (Signed)

MEMBERS of

HOLY EPISCOPAL SYNOD

Metropolitan of Montenegro, DANILO

Bishop of Srem, MAKARIJE

Bishop of Zvornik-Tuzla, LONGIN

Bishop of Dalmatia, STEFAN

PLAINTIFFS' EXHIBIT 24

Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 22, 1968
In Belgrade

EXCERPT

From the Minutes of the meeting of the Holy Assembly of Bishops for 1921.

In these Minutes it is noted that a meeting of the Holy Assembly of Bishops was held from August 31st to September 13th, 1921, in Sremski Karlovci.

From the Minutes it can be seen that at this meeting there were many subjects to be decided.

Among other things in the Minutes the following is also noted in the appropriate place:

"AS (Holy Assembly) No. 99

The Holy Assembly of Bishops adopts the motion of the appointed commission for the church in America and decides that a delegate of the Holy Assembly of Bishops be sent there in the person of one of the Bishops with a deacon.

Immediately thereafter it (the Holy Assembly) elected as its delegate His Grace Bishop Nicholai of Ochrid."

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9th, 1968 — Supreme Secretary
Belgrade — Holy Synod of Bishops
The Patriarchate — Mladen Mladenovich (signature)
Archpriest

(SEAL)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 25

THE HOLY SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

EXCERPT

From the Minutes of the XVII regular conclave of the Holy Council of Bishops of the Serbian Orthodox Church, held August 31st (September 13), 1921, in Sremski Karlovci—Holy Assembly No. 99.

On pages 146-148 in these Minutes it is recorded that His Grace Bishop Jefrem, as reporter of the special Commission for the Church in America submitted the proposal which states:

"Taking into account the Report of His Grace Bishop Nicholai of Ochrid and responding to the constant and frequent written and orally expressed vital desires (especially those most recent before the delegate of the Holy Assembly of Bishops His Grace Bishop Nicholai) and

doubtless spiritual needs of the Serbian Orthodox clergy and people in North America, that they be received under the wings of the Serbian Church and to be bound to Her in as close an hierarchical tie as possible, and having in view that the Serbian Church until now has already through various Diocesan Bishops in their provincial churches have exercised spiritual care—of the Serbian Orthodox faithful over there by sending their priests to perform pastoral services in various church congregations and by supplying those priests with all necessary authorization to perform such duties and with spiritual means, and especially having in view that those faithful and their church congregations are generative parts of the living church, the Holy Assembly of Bishops decides:

1) To retain further the Serbian Orthodox in North America under its shelter, and to bring them in as close an organic and hierarchical bond as possible;

2) Because of this to express the need that a Serbian Orthodox Diocese be established in North America;

3) That for the organizing of that diocese and exercising hierarchical administration and overseeing in that region a Vicar be appointed dependent upon the Serbian Patriarch, and along with the supreme control of the Holy Assembly and Holy Synod—or a special delegate of the Holy Assembly of Bishops, and when the organization is carried out and its stability determined, to appoint in accordance with the Holy canons a regular designated diocesan bishop;

4) That the organizing should include all Serbian Orthodox Congregations and all Serbian Orthodox people in America, over whom, in accordance with the foregoing, the Serbian Church as Mother Church, has rights and by a directive to formulate the diocesan administration, its

relationship toward the clergy, parishioners and church congregations on the one hand, and towards the Serbian Church on the other, which directive the Holy Assembly of Bishops must confirm.

The first relationship would have to be formulated according to the Holy canons, which clearly determine the concept and content of episcopal jurisdiction with regard to internal administration, while in regard to external economic-material administration along with the preservation of necessary rights and along with the guaranteed duties of the church congregations and their organs.

The Second relationship would be the relationship of hierarchical dependency of the diocese towards the Metropolitanate, which is today represented in the Serbian Patriarchate. The Holy Synod of Bishops shall give closer directives.

5) The salary of the Vicar and deacon should be insured from state resources.

The maintenance of the finally established diocesan administration shall be determined as most practically indicated, in the Directive. The delegate's expenses shall be likewise borne by the state.

6) In the event that any controversy develops over common property with the Russian Orthodox Church, an agreement should be attempted with the competent representatives of the Russian Church."

His Eminence Metropolitan Varnava also orally introduces more light on the very question mentioning that of 30 priests 16 have signed the demand for a bishop, and His Grace Bishop Nicholai explains that this is so only because he was unable to get to all the places nor was he able to wait for the exhibit to be sent to all for signature, however that the archpriests of both protopresbyteries (Eastern and Western) have convinced him that all priests are in agreement.

He concurs with the opinion of the Commission and moves that it be adopted as the only possible thing to do, and that a deacon be assigned to the person who goes.

THE HOLY ASSEMBLY OF BISHOPS:

adopts the proposal of the Commission for the Church in America and decides that a delegate of the Holy Assembly of Bishops be sent there from among the Bishops together with a deacon. Immediately thereafter the Assembly elected as its delegate His Grace Bishop Nicholai of Ochrid."

That this excerpt from the designated Minutes is faithful to its original, is affirmed and certified by

January 29, 1969 (SEAL) Supreme Secretary
Belgrade Holy Synod of Bishops
The Patriarchate S/ Mladen Mladenovich
Archpriest

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 26

Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 22, 1968
In Belgrade

EXCERPT

From the Minutes of the Holy Synod of Bishops for the year 1922.

In these Minutes it is noted that a meeting of the Holy Synod of Bishops was held on the 25th of November (December 8) 1922, in Belgrade.

From these Minutes it can be seen that there were many subjects to be decided at this meeting.

Among other things in the Minutes it is noted in the appropriate place also that the candidates for administrator of the American-Canadian Diocese were nominated, and the Holy Synod of Bishops, having considered this matter, rendered this decision:

"Minutes No. 1061"

As administrator of our Church in America has elected Archimandrite Mardary, who would be in everything subject unto His Grace Bishop Nicholai, to whom is entrusted the administration of our Church in America."

That this excerpt from the indicated minutes is faithful to its original, is certified and attested unto by

November 9th, 1968 — Supreme Secretary
Belgrade — Holy Synod of Bishops
The Patriarchate — Mladen Mladenovich (signature)
Archpriest

(SEAL)

(translator's certificate omitted)

PLAINTIFF'S EXHIBIT 27

TRANSLATION

EXCERPT

From the Minutes of the 20th meeting of the regular session of the Holy Assembly of Bishops of the Serbian Orthodox Church held November 22nd (December 5) 1925, in Sremski Karlovci.

Present: His Holiness the Patriarch and all diocesan Bishops except Bishop Georgije of Budim.

From the minutes it can be seen that there were several subjects to be decided at this meeting.

Among other things in the Minutes in the appropriate place this also is noted:

"Minutes no. 201

Before the beginning of the meeting a Conference was held at which 25 (twenty-five) candidates were set forth for election to the episcopal rank.

After this determination, upon the basis of article 17 of the Laws of the Holy Synod of Bishops and Holy Assembly of Bishops, the election was begun.

1.

The Bishop for the Serbian Orthodox Diocese in America. Upon the motion of His Holiness all the bishops, except Bishop Nicholai of Ochrid, unanimously elected as Bishop of America

Archimandrite Mardary Uskokovich, administrator of the Serbian Orthodox Diocese in America."

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9th, 1968 — Supreme Secretary
Belgrade — Holy Synod of Bishops
The Patriarchate — Mladen Mladenovich (signature)
(SEAL) — Archpriest

PLAINTIFFS' EXHIBIT 28

Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 22, 1968
In Belgrade

EXCERPT

From the Minutes of the meeting of the Holy Assembly of Bishops for 1928.

In these Minutes it is recorded that the meeting of the Holy Assembly of Bishops was held on the 12/25 of October, 1928 in Sremski Karlovci.

From the Minutes it can be seen that at this meeting there were several subjects to be decided.

Among other things in the Minutes in the appropriate place this also is noted:

"Minutes no. 77

Holy Assembly No. 14

The Holy Synod of Bishops its act Syn. No. 1243/min. 625 of 14/27 of June of the current year submits to the Holy Assembly of Bishops for consideration and approval: The Constitution of the Serbian Orthodox Diocese in the United States of North America and Canada with an accompanying act of 3/16 of April of the current year Diocese No. 26, of His Grace Bishop Mardary and with his remarks.

The Legislative committee having heard also the opinion of His Grace Bishop Nicholai as one who knows America and circumstances over there, recommends that the Assembly render this decision:

I. Authorize the Holy Synod of Bishops that it can approve that Constitution as the temporary regulation of the mentioned Diocese, adhering to the cited directions below and to make it to be in accordance with them.

After having passed upon all directives the Holy Assembly of Bishops rendered this decision:

To accept the motion of the Legislative committee as it was presented together with the passed directives and authorize the Holy Synod of Bishops to approve it."

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9th, 1968
Belgrade
The Patriarchate
(SEAL)

Supreme Secretary
Holy Synod of Bishops
Mladen Mladenovich (signature)

(translator's certification omitted)

PLAINTIFF'S EXHIBIT 30
Index to Constitution.
EXHIBIT 3

CONSTITUTION
SERBIAN ORTHODOX DIOCESE
in the
UNITED STATES OF AMERICA
AND CANADA

Published by
THE DIOCESAN ADMINISTRATOR OF
AMERICA-CANADA
1939

Translated by: V. Rev. M. D. Mijatovich

CONSTITUTION
SERBIAN-ORTHODOX-DIOCESE
in the
UNITED STATES OF AMERICA
AND CANADA

accepted at the Diocesan Church-National Assembly in 1927, and amended and revised at the Diocesan Church-National Assemblies of 1931 and 1938, approved by the decision of the Holy Bishop's Synod of the Serbian Orthodox Church, Sin. No. 2386/Zap. 1457 of December 1/14,

1928 (in accordance with the authorization of the Holy Bishop's Assembly of the Serbian Orthodox Church A.S. No. 14/77 of 12/25, 1928) and decision of the Holy Bishop's Assembly of the Serbian Church dated May 24/11, 1939 A.S. No. 69/132, 1939.

CONTENTS

GENERAL STATUTES

I
DIOCESE AND DIOCESAN BISHOP

II
DIOCESAN CHURCH-PEOPLE'S ASSEMBLY

III
DIOCESAN COUNCIL:
1) Diocesan religious-educational board;
2) Financial-administrative board.

IV
DIOCESAN ECCLESIASTICAL COURT

V
LOWER DIOCESAN ORGANS:
1) archpresbyterates and archpresbyters;
2) churches-school congregations and their organs;
3) parishes and parish offices.

VI
PROPERTY AND FUNDS:
A) 1. Diocesan property:
2. Church-school property.
B) 1. Diocesan funds;
2. Separate funds, pledges.

First Part

DIOCESE AND DIOCESAN BISHOP

I

POSITION OF THE SERBIAN ORTHODOX DIOCESE in the UNITED STATES OF NORTH AMERICA AND CANADA

Art. 1

The Serbian Orthodox Diocese in the Northern States of America and Canada is considered ecclesiastically-judicially as an organic part of the Serbian Patriarchate in the Kingdom of Yugoslavia and enjoys all the benefits which originate therefrom.

Art. 2

All statutes and rules which regulate the ecclesiastical-canonical authority and position of the Serbian Orthodox Church in the Kingdom of Yugoslavia are also compulsory for the Serbian Orthodox Diocese in the United States of North America and Canada, with the exception of specific cases which must be formulated with regard to local circumstances in accordance with ecclesiastical and judicial principles.

Art. 3

The jurisdiction of the Serbian Orthodox Diocese in the United States of America and Canada with its Diocesan See in Chicago, includes the entire political territory of the United States of America and Canada, which as such by its geographical location enjoys full administrative freedom and accordingly, it can independently regulate and rule the activities of its church, school and other diocesan institutions and all funds and beneficiencies, through its organs, but in accordance with the laws of ths constitution and in agreement with the laws of the United States of America and Canada.

Art. 4

The Serbian Orthodox Diocese in the United States of America and Canada is comprised of Serbian Orthodox Church-school Congregations-Parishes, churches, monasteries, archpresbyterates, established within the territory of the above mentioned states and which fall under the spiritual, executive, ecclesistical-judical and controlling authority of the diocesan organs (Bishop and Diocesan Council). Therefore, every Serbian Orthodox Chuch-school Congregation, church, monastery, and archpresbyterate already existing or which shall be established in the above mentioned territories must be in ecclesiastical-canonical bond with this Diocese and recognize its authority and power.

Art. 5

This Constitution embraces all legislative and administrative organs of the Diocese and by it are regulated the following church authorities and its organs:

A) DIOCESAN CHURCH-NATIONAL ASSEMBLY, whose executive and administrative organ is the Diocesan Council which is composed of two committees:

1) Diocesan Religious-Educational Board, and

2) Diocesan Financial-Executive Board, and

B) DIOCESAN ECCLESIASTICAL COURT.

lower authorities and organs are:

1) District archpresbyterates whose organs are archpresbyterate offices and archpresbyters;

2) Serbian Orthodox Church-School Congregations, the organs of which are the church-school general assemblies and executives boards,

3) Serbian Orthodox Parishes, the organs of which are the parochial chanceries and the parish priests.

Art. 6

Every organ of the church-school board in the Diocese is subordinated in all executive matters directly to the higher executive organs of the Diocese.

Art. 7

The filing of complaints against decisions of the diocesan authorities must be submitted within a 30 day period excluding the date of decision, namely date of receipt, and it is considered that the complaint is duly presented if filed before the 30 day expiration date.

Art. 8

The diocesan authorities decide independently on all matters within their jurisdiction and in accordance with this Constitution, so that the protection of the civil authorities cannot be sought against their decisions except if same conflicts with the laws of the United States and Canada.

II

DIOCESAN BISHOP

Art. 9

The Bishop of the Serbian Orthodox Diocese in the United States of America and Canada is appointed by the Holy Assembly of Bishops of the Serbian Patriarchate.

Art. 10

The Bishop by virtue of his archipastoral calling is privileged in granting church-educational directives in the general activities of the diocese.

The following comes within the jurisdiction of activity of the diocesan bishop:

a) to preserve, defend and sustain among the people, One, Holy, Ecumenical and Apostolic church and repel all activities contrary to Orthodoxy;

b) to see that the divine worship in church is conducted in accordance with the church law-constitution;

c) to endeavor, in accordance and in co-operation with the Diocesan Council, that new church-school congregations be established, that churches be erected and repaired, and he, himself, to check and to approve the holy icon screens, murals and all important church-serving essentials and vestments;

d) to see that all churches are supplied with Holy Chrysm, service books, crosses and generally with all necessary church articles essential for the divine worship, as well as that all be kept in good order and recorded in a special inventory;

e) to consecrate new churches and corporals;

f) to make canonical visitations in his Diocese in accordance with church regulations;

g) to ordain worthy persons with theological training to priesthood, if needed; to appoint them to parishes and to elevate deserving clerics in all priestly and monastic orders;

h) to execute all canonical orders of the Holy Assembly of Bishops;

i) to appoint replacements for deceased abbots, vicar-generals and priests until the election of his permanent replacement;

j) to appoint substitutes for those priests on vacation or sick-leave or who have been assigned to perform some national or official duty;

k) to direct, when a church is closed due to building hazards and it being unsafe to serve in same, where the church serving essentials are to be stored for safe-keeping and where the priest will conduct services.

l) to decide questions of degrees in relationship and to, within the canonical limitations and the decisions of the Holy Bishop's Assembly, render dispensations to related persons to wed; and to grant dispensation from announcements in instances of proven necessity.

m) to grant leaves for priests and personnel of the Ecclesiastical Court;

n) to mitigate the degree of punishment pronounced by the Ecclesiastical Court, if he finds justifiable cause to do so;

o) to inform the clergy and laity of various canonical directives from the Holy Pontificial Synod;

p) to submit to the Holy Bishop's Assembly of the Serbian Patriarchate an annual report of his archipastoral activities; and,

q) to prepare, accept and appoint new priests for this Diocese according to the indicated need and with prior agreement of the Ecclesiastical Court.

Art. 11

The Diocesan Bishop, within his canonical rights will issue when the need arises, greetings and epistles to the clergy and laity of his diocese, in order to strengthen faith and christian morals.

Art. 12

The Diocesan Bishop in the United States of America and Canada is obliged to recognize as the head of the Serbian Patriarchate, the Archbishop of Ipek, Metropolitan of Belgrade-Karlovac and Serbian Patriarch, whom he mentioned in all services. He shall not make any changes or innovations in the established order and work of the church without prior agreement with him.

Accordingly, the Diocesan Bishop shall submit to the Serbian Patriarch for review, all regulations which may be issued by any diocesan authority, which shall if they touch upon the sphere of internal church administration,

be subject to the approval of the Holy Pontificial Synod, as the highest executive church authority.
Should the Diocesan Bishop find by his own assurance, that decisions rendered by any church authority or organ are contrary to the teachings of the Holy Church, her regulations and canons, or to the vital interest of the church, he shall halt the execution of such decision and submit the matter for rediscussion and redecision. If he again is not in accord with redecision as reconsidered, he shall submit the case for final decision to a higher authority and if necessary, to the Holy Pontifical Synod.

Art. 13

In the event of illness or absence, the Diocesan Bishop assigns his own substitute and designates his authority. When the seat of the Diocese Bishop is vacated, the administration of the widowed diocese is upheld in all her spiritual and administrative matters by the Ecclesiastical Court and the Diocesan Council until the appointment of an administrator, which appointment is made by the Serbian Patriarch with the Holy Poantifical Synod.

Art. 14

The administrative divisions of the Diocese into archpresbyterates and vicar-generalities as well as all the boundaries of the parishes, is done by the Bishop together with the Ecclesiastical Court and the Diocesan Council when the need calls for same.
The Diocesan Bishop is at the time the supreme head of the St. Sava Monastery in Libertyville. He appoints the abbot of same and conducts the canonical supervision and the higher executive authority over the monastery.

Second Part

DIOCESAN CHURCH-NATIONAL ASSEMBLY

Art. 15

The Diocesan Assembly is the main legislative and controlling body in the Diocese and represents the entire Orthodox Serbs in the United States of America and Canada.

Art. 16

The Diocesan Assembly consists of:

1) Delegates elected by individual church-school congregations, namely, two laymen:
2) Both orders of all the Serbian Orthodox clergy:
3) Diocesan Bishop;
4) all members of the Diocesan Council;
5) All Serbian colonies who are without a church and priest, but who have a regular school operating under Diocesan jurisdiction, have the right to two delegates, one of whom is obligatory the teacher of the school.
6) Representatives of the people at large and distinguished educators and friends of Orthodoxy and of our people's welfare, are privileged to attend all Diocesan-Assembly meetings in the capacity of advisory members, but without the right to vote.

Art. 17

All delegates must possess the prescribed credentials which must be verified by the Credentials Committee.

Art. 18

The travelling expenses of the delegates are financed by their respective organizations, namely, congregations.

Art. 19

Delegates of one organization may also represent another organization in cases where the necessity is justified, in which event both organizations, i.e. congregations share in the delegates expenses equally.

Regardless of how many congregations or organizations they might represent according to the submitted credentials, all delegates are entitled to only one vote each. Each delegate must be a member in good standing of the church-school congregation and as such may be elected to the Diocesan Council. In case he ceases to be a member of his church-school congregation, he automatically ceases to be a member of the Council.

Art. 20

The Diocesan Assembly meets in session every third year in the month of September or on the day designated by the Diocesan Bishop where the Episcopal See is located—Libertyville—decides on all administrative, financial and religious-educational church matters which concern the entire Diocese i.e. its constituents.

Art. 21

The election of the delegates to the Diocesan Assembly should be made, if possible, a month prior to the Diocesan Assembly.

Grievances against elected delegates for the Serbian Church-National Assembly are directed to the Diocesan Council within eight days from the date of election.

Art. 22

The Diocesan Assembly is opened by the Diocesan Bishop who is by virtue of his high calling, the president of the assembly. Upon opening the assembly he shall invite same to be duly constituted and to elect the necessary presidium: two vice-presidents, one of whom is a priest, and one a layman and two or more secretaries.

Art. 23

The Diocesan Assembly upon being duly constituted, performs the following:

1) changes and amends the order of agenda submitted by the Diocesan Council;

2) accepts reports of the Diocesan Council dealing with the entire work in the Diocese for the past three years;

3) decides concerning the sources and acquisition of revenue required for the maintenance and support of the Diocese;

4) approves the program of work of the Diocesan Council for the ensuing three years;

5) decides on all matters which the Diocesan Council submits for consideration;

6) elemts the Diocesan Council for a three year term;

7) controls the assets of the Diocese, the entire past year's work of the Diocesan Council and its organs;

8) decides on changes and amendments to the Constitution with the approval of the Holy Bishop's Assembly of the Serbian Patriarchate.

Third Part
DIOCESAN COUNCIL

Art. 24

The Diocesan Council is the main executive and controlling board in the Diocese for external church religious and educational matters.

Art. 25

The Diocesan Council, in addition to the Bishop, is composed of twelve regular members elected by the Diocesan Assembly for a period of three years, seven of whom are of the laity; five of the clergy and six alternates, four of whom are of the laity and two of the clergy.

Art. 26

Members of the Diocesan Council may not be related to one another or to the Bishop to within four degrees of canonical computation, neither as blood relatives or through marriage.

Art. 27

The mandate of the members of the Diocesan Council continues for three years beginning from the day of election. Until that time, old members perform the work of the Council.

Art. 28

Membership in the Diocesan Council is honorary and therefore is fulfilled without any compensation, except in the cases of members from afar whose traveling expenses are paid.

Art. 29

Upon assuming their positions of trust, the members of the Diocesan Council must at an open meeting take an oath before the Bishop stating that they will perform their duties conscientiously, correctly and objectively and to the best of their abilities fulfill same and that they will keep in strict confidence official secret deliberation.

Art. 30

The Diocesan Council is comprised of two sections—committees;

I. Diocesan financial-executive committee and

II. Religious-educational committee

a) Each of these two committees, aside from its president, has six additional regular members: the religious-educational committee has three laymen and three clergymen and the financial-executive committee has four laymen and two clergymen. Alternate members, three from the clergy and three from the laymen, are appointed by the Bishop for each committee in accordance with the Diocesan Council.

The president or vice-president may designate one member from either section to preside over either section in case of necessity.

b) The Diocesan Council holds its meetings thrice annually and if necessary, more frequently;

c) the president of the Diocesan Council is the Diocesan Bishop. The vice-president is appointed by the Bishop in agreement with the Diocesan Council. He is simultaneously the vice-president of every diocesan body except the Ecclesiastical Court, if he is not a clergyman;

d) The diocesan secretary, who is at the same time the secretary of the Diocesan Council also, is appointed by the Bishop as a permanent clerk of the Diocese. The secretary of the Diocese is paid his wages from the Diocese Treasury;

3) The referant of the Diocesan Council is the diocesan secretary or an expecially appointed member of the Diocesan Council.

f) Should a vacancy occur in the Diocesan Council, it is filled by election of the Diocesan Council.

Art. 31

The committees of the Diocesan Council hold their meetings regularly once a month, or when necessity demands. Each regular member of the committee, if he is unable to attend a meeting, is obliged to notify the president of the Council on time, who will then take the necessary steps to invite an alternate member to the said meeting.

Art. 32

In rendering valid decisions in the Diocesan Council, it is necessary that two-thirds of the members be present besides the president and vice-president.

In order that the committees of the Diocesan Council might render valid decisions it is necessary that two-thirds of its members be present personally or represented by their alternates in addition to the president i.e. vice-president.

Art. 34

At meetings of the Diocesan Council and the committees of the Diocesan Council, minutes must be kept in which are reported the names of the present members, reason for absence of those not present, remarks to the minutes of the previous meeting, announcements and correspondence which comes within the scope of their authority, issues which had been discussed and voted upon, the results of the vote and realized conclusions with notations as to how those present voted individually. The minutes must be signed by all present and excerpts of the minutes only by the secretary with the seal of the Diocesan Council.

Art. 35

Grievances submitted within the prescribed time limit against the decisions of the committees of the Diocesan Council will be decided by the Diocesan Council in plenum.

JURISDICTION OF THE DIOCESAN COUNCIL

Art. 36

General Duties are as follows:

1) To see that church-school congregations, monasteries and all its organs perform their duties correctly and conscientiously;

All liens against church-school congregation property (mortgages) must be previously approved by the Diocesan Bishop, i.e. the Diocesan Council; in regard to incurring debts in general, the church congregation may indebt itself only up to the sum of five hundred dollars without the consent of the Diocesan Council;

2) to prepare and submit necessary regulations, orders, instructions and decisions in this respect and in the matters of all executive and religious-educational needs of the diocese;

3) to prepare and submit to the Diocesan Church-National Assembly, recommendations for various regulations and directives which are to be legislated by this body for the entire diocese;

4) to conduct the election of delegates to the Diocesan Church-National Assembly in accordance with the rules of this Constitution;

5) to decide in the matters of the Diocesan income and assessments;

6) to set up its own agenda;

7) to create funds required for the entire Diocese;

8) to receive and debate the reports of its committees-sections and to consider their activities and the status of the Diocese and to render appropriate decisions on the subject of said reports;

9) to debate the grievances submitted against the decisions of the committees-sections of the Diocesan Council.

10) to submit recommendations, according to the need, to the Diocesan Assembly for the change and amendment of this Constitution;

11) to initiate and extend such tasks which it might consider to be generally beneficial.

Art. 37

In matters of administration and control:

10) to Consult on all relations and needs of the Serbian Orthodox religious schools for religious education and to bring forth in that respect, necessary decisions and directives;

2 to prepare and submit regulations for the entire Diocese in regard to the religious-education in the church schools, teaching curriculum and disclipinary code for the teachers;

3) to supervise that the directives for school regulations and teaching curriculum are correctly carried out and that the prescribed religious-cultural school text books are widely used;

4) to choose Diocesan religious-educational supervisors, if necessary, through whom supervision is exercised over all religious-educational institutions in the Diocese;

5) to receive reports from the said supervisors and formulate necessary decisions on same;

6) to receive an annual report from all its committees covering their work and to prepare an annual report from same of the entire work within the diocese and to submit it to the Diocesan Assembly;

7) to decide the organization and development of religious-educational schools for religious-cultural education and beneficial institutions in the Diocese.

I. DIOCESAN RELIGIOUS-EDUCATIONAL COMMITMITTEE-SECTION:

Art. 38

In the jurisdiction of the activity of this committee-section, aside from the religious-educational activity, it should also decide:

1) grievances against decisions of the bodies of church-school congregations in matters of strictly educational and school character: to approve their decisions, i.e. to disapprove them whenever this Constitution proves cause for same;

2) to decide disputes arising between parish priests and church-school congregations and its organs insofar as same do not concern spiritual matters.

3 to prepare recommendations for the Diocesan Council for directives, orders and regulations which pertain to the official activity of the lower organs of the Diocesan authorities and which relate to matters of school and education;

4) to submit to the Diocesan Council for approval, i.e. decision, its reports, findings and financial statments;

5) to execute the decisions and orders of the Diocesan Council;

6) to examine, approve and confirm the rules and decisions of the congregation insofar as it is within the scope of the Constitution;

7) to direct and send representatives for the purpose of investigating various improprieties of lesser bodies in church-parochial schools and to take adequate measures to eliminate various faults and insufficiencies in educational and school activities.

Art. 39

In administrative and controlling matters of religious schools for religious education, this committee-section is authorized to:

1) approve decisions made by church-school congregations to erect new schools;

2) to endeavor that school buildings be built in accordance with regulations, that they be furnished with the best of teaching materials and that only qualified teachers be placed in same.

3) to control that church-school congregations authorities fulfill their obligations punctually, submit their reports to the Diocesan Council regularly, statistical data and requests.

4) to confirm the election of teachers selected from church-school congregations and to issue to them their confirmations;

5) to judge in the disciplinary matters of teaching personnel in accordance with the disciplinary rules which the Diocesan Council will present;

6) to arbitrate and decide on differences between teacher, clergy and school-church congregations and their bodies insofar as they touch upon school and teaching relations;

7) to compile an anual report of the status of all its external and internal religious-educational institutions in the Diocese, which report will be published in the Diocese paper) and to submit same together with the propositions to the Diocesan Council:

8) to effect the decisions of the Diocesan Council insofar as they concern religious-educational activity;

9) to place substitutes in teaching vacancies, until valid decision is final;

10) to maintain a list of all religious-educational institutions and teaching personnel in same;

11) to assume responsibility that the supervision of all religious educational institutions be carried out.

II FINANCIAL - EXECUTIVE COMMITTEE — SECTION

Art. 40

Of the members of this committee-section, the Diocesan Bishop in agreement with the Diocesan Council names to same, the Diocesan Treasurer and assistant treasurer. The treasurer of the Diocesan Council must be under bond, said bond being twice the amount of cash at the disposal of the Diocesan funds.

Art. 41

Also within the jurisdiction of the Financial-Executive Committee

1) to maintain that regular inventories are kept of all real and personal property of the Diocese, church-school congregations, monasteries, funds (beneficiencies) which can be included in same;

2) to control the status, handling and usuage of those funds (beneficiaries) and properties which are directly supervised by the school-school congregations and monasteries;

3) to examine the submitted final financial statements for the past year and to approve church-school congregation and monastery budgets for the subsequent year;

4) to handle directly and under the supervision of the Diocesan authorities, the funds (beneficiencies) which serve the church-religious educational and humanitarian aims of the entire Diocese and monastery in the Diocese.

5) to supervise over all Diocese property and beneficiencies.

6) to check and keep in its file, one copy of the property inventory of the church-school congregations, monasteries and Diocese.

DIOCESAN ECCLESIASTICAL COURT

Art. 42

The Diocesan Ecclestical Court is comprised of the Bishop as president, four regular and three alternate members. the regular members and alternate members of the Diocesan Ecclesiastical Court are appointed and relieved of duty by the Bishop.

Art. 43

Members of the Diocesan Ecclesisatical Court may be clergy of both orders but they cannot be related amongst themselves or with the Bishop to within four degrees of canonical computation, be it blood relationship or through marriage.

Art. 44

The Diocesan Ecclesiastical Court maintains its own legal counsel when necessary, who is at the same time the defender of marital unions and attorney for the Diocesan Council, namely the Diocese. He must have legal training (bar

admission) to practice in the country-state, and he is appointed by the Bishop of the Diocese in accord with the Diocesan Council.

Art. 45

The members of the Diocesan Ecclesiastical Court, regular or alternates, as well as its clerks (including the attorney) swear an oath to the Diocesan Bishop which is as follows: "I (N.N) swear to Almighty and All-Knowing God, that I will fulfill all duties and activities entrusted to me carefully and conscientiously without any objectives, that I will, before the enaction of any decision, most zealously uphold all the laws and canons which relate to the subjects of the office entrusted me and that I shal guard official secrets most honorably. So help me God."
This oath must be personally signed by each member and submitted to the Diocesan Bishop.

Art. 46

The president of the Diocesan Ecclesiastical Court is the Diocesan Bishop; should he not be available, he transfers the administrative work to his representative in accordance with Art. 13 of this Constitution.

Art. 47

The meetings of the Diocesan Ecclesiastical Court are held as required at the invitation of the Diocesan Bishop. All regular members must be invited to the meetings as well as the required member of alternate members and the latter, if possible, should be from the immediate vicinity of the Diocese seat.

Art. 48

The members of the Diocesan Ecclesiastical Court are not authorized to meet at meetings of the Ecclesiastical Court without the knowledge of the Diocesan Bishop or his appointed substitute.

Art. 49

The Diocesan Ecclesiastical Court may always make valid decisions at its meetings, if two-thirds of its membership is present.

Art. 50

Meetings of the Diocesan Ecclesiastical Court are not public. If a case involves one of the members or his family or relatives to within four degrees of relationship he must leave the meeting until the case is settled.

Art. 51

A motion approved by all members or their absolute majority becomes valid and should immediately be pronounced as such when the Bishop approves it.
If the vote is tied, the motion endorsed by the Diocesan Bishop, i.e. his representative, becomes the valid decision.
If the vote is entirely deadlocked, the Bishop calls a new hearing at the next nearest meeting.

Art. 52

At each meeting of the Diocesan Ecclesiastical Court, the Diocesan secretary (Bishop's secretary) take minutes which include the names of the members present as well as those absent and their names, comment to the minutes of the previous meeting, announcements and correspondence which come within the jurisdiction of the Diocesan Eccelsiastical Court, subjects discussed and voted upon, results of vote and final decisions with notations indicating how all present voted. The minutes must be signed by all members present and the excerpts from the minutes only by the secretary.

Art. 53

Decisions made by the Diocesan Bishop alone or together with the Diocesan Ecclesiastical Court, have the validity and power of decrees of Ecclesiastical Courts in the first instance. The highest and final instance is the Holy Bishop's Synod.

The Diocesan Ecclesiastical Court decides matters of divorce in the first and final instance, except in the cases of marriage annulments or an appeals of a decision of the Diocesan Ecclesiastical Court in which case the Holy Bishop's Synod is the final instance.

Art. 54

All decisions pertaining to the unfrocking of priests or presbyter-monastics are made not only by reason of complaint but also by official duty, to the Holy Bishop's Synod for consideration and final decision.

Art. 55

The jurisdiction of the Diocesan Ecclesiastical Court is:

1) to see that the teaching of the fatih is preserved intact and that the church rituals are maintained in their entirety;

2) to see that priests and presbyter-monastics perform their duties both in and out of the church and that the religious-moral life of the cleries and people coincide with church regulations;

3) to provide instructions for religious education in general, to be informed through contact with its bodies on the religious-moral situation of the people and Serbian Eastern Orthodox children in all schools.

4) to arbitrate and decide upon differences arising between archpresbyters, priests and missionaries, insofar as they relate to their spiritual service and official relations;

5) to judge in all disciplinary matters which relate to church discipline and order of the cleries and people and also in the matters relating to the performance of the Holy Sacraments and marital matters;

6) to, if necessary, call for plenishment of vacant parishes;

7) to engage, in accordance with this Constitution, in the organization of new, dissolvement of old or other re-

orientated existing church-school congregations, parishes, achpresbyterates, monasteries, and in the designation of their headquarters;

8) To formulate directives for the official activities of district archpresbyterates insofar as the directives relate to their spiritual stewardship and to see that the church-school congregations, parishes fulfill their obligations in matters designated within their jurisdiction;

9) to assume responsibility that all new churches are built in accordance with Orthodox rites, that they are consecrated according to regulations, that they are furnished with service books, materials, and essentials and that church cemetaries are consecrated and properly fenced;

10) to maintain that correct inventories are kept listing church vessels; orders a list of all churches, parochial and monastic clergy and the number of christian souls and homes and that all are entered in special books;

11) to see that official church records and generally all that is necessary for parish life (monastery) as well as prescribed books and minutes, are kept in order and according to regulations.

12) to submit an annual report of its work to its Diocesan Bishop who will publish it in the official organ each year.

Art. 56

Court procedures and order of business of the Ecclesiastical Court will be prepared by the Ecclesiastical Court itself with the approval of the Holy Bishop's Assembly of the Serbian Church.

If the Bishop should disagree with the decision of the Diocesan Ecclesiastical Court, as well as with the decision of some Diocesan committee or Diocesan Council, the matter in question will be sent to the Holy Bishop's Synod of the Serbian Church for final Decision.

Fourth Part
LOWER DIOCESAN ORGANS
I. DISTRICT ARCHPRESBYTERS AND ARCHPRESBYTERATES

Art. 57

District archpresbyterates are a group of more church-school congregation-parishes which are under the spiritual supervision of one and the same district archpresbyter.

Art. 58

Each Serbian Orthodox School-Church congregation-Parish which exists or which is to be organized in this country, must be in canonical unity with one of the existing district archpresbyterates.

Art. 59

The present district archpresbyterates, their headquarters and their boundaries remain intact for the present but in the future the changes in this respect will be made only after a hearing of the Diocesan Council and the Diocesan Ecclesiastical Court, the interested clergy and people, the decision of which will be based solely upon the interests of the church and church welfare.

Art. 60

Accordingly, there exists and shall exist until further decision, three district archpresbyterates: eastern, central, and western.

Art. 61

District archpresbyters are spiritual heads of one archpresbyterate, appointed permanently in a valid manner, and furthermore, as a confident of the Diocesan Bishop and Diocesan Authorities is authorized in their behalf and at their request to effect all spiritual supervision over clergy, people and all church and religious-educational institutions of his district and in this respect is elevated in rank to archpresbyter and appointed.

Art. 62

The vacated position of an archpresbyter must be filled within six months after said vacancy occurs.

A temporary substitute is appointed by the Bishop in agreement with the Diocesan Ecclesiastical Court.

To fill the vacancy of the position of an archpresbyter, the Diocesan Ecclesiastical Court candidates three clergymen, pastors of this Diocese who have passed the presribed residual examinations insofar as they were not exempt from same and who have as clergy fulfilled parish duties and from amongst whom the Diocesan Bishop will name a permanent archpresbyter.

Art. 63

The church-jurisdictional position of the district archpresbyters includes the following rights and obligations, namely:

1) He is a mediator between the Diocesan Ecclesiastical Court and the district parish offices and in general all the territorial clergy and people: in exclusive spiritual matters and as such if obligated to announce the orders, decisions and rules of the Diocesan Ecclesiastical Court to the parish offices as well as to submit petitions, grievances and in general all requests of the above mentioned to the Diocesan Ecclesiastical Court with all his remarks, reports and eventual propositions;

2) he is the controlling organ of the Diocesan administration in all its activities of the clergy and people, parochial offices and church-school congregations in spiritual and administrative matters, and all church and religious-educational institutions of his district; consequently, his duty is to make annual canonical visitations in his district in accordance with the rules of this Constitution and instructions of his Diocesan Bishop and competent Diocesan authorities and to submit a report on each occasion to the Diocesan administration.

3) he is the investigating organ of the Diocesan administration in all church corrective and disciplinary matters as well as in the executive matters of his district clergy, teachers and faithful and church-school congregations and their organs and the parochial offices insofar as the Diocesan Bishop and competent Diocesan authorities would not entrust the same duties to another as its special representative.

4) He is the executive organ of the Diocesan administration and, therefore, it is his duty to execute orders, decisions, rules and decrees of the Diocesan administration in his district, i.e. all responsibility for same to be fulfilled by all who are bound to do same.

Art. 64

In order that district archpresbyters might correctly fulfill these specific duties of their office, the Diocesan Bishop together with the Diocesan Ecclesiastical Court and Diocesan Council will compile specific instructions and publicize same for the knowledge and acceptance to all the clergy, school-church congregations and parishes.

Art. 65

District archpresbyters maintain separate offices and have a special archpresbyterial seal with lettering reading: "Serbian Orthodox Archpresbyterate Office N.N." encircled and the image of St. Sava in the middle.

Art. 66

The district archpresbyters in their official capacity are under the supervision of the Diocesan authorities and they are duty-bound to submit in all matters without exception, to the prescribed laws and directives.

Fifth Part
CHURCH SCHOOL CONGREGATIONS

Art. 67

A Serbian Orthodox Church-School Congregation is a community of Serbs who profess the Orthodox faith and live in one or more localities which are bound together and which comprise geographic and administrative unity according to the laws of this country.

Art. 68

Each Church-School Congregation is considered an integral part of the Serbian Orthodox Diocese in the Northern United States of America and Canada and as such is subject to all the statutes of this Constitution church canons and other regulations, rules and orders of the Diocesan authorities headed by the Diocesan Bishop.

Art. 69

The aim and purpose of the Church-School Congregation is to uphold maintain and promote the church, school and all institutions which benefit Serbainism and Orthodoxy and to work towards the promotion amongst the members of same, fraternal love and unity and useful citizens of this country, mutually helping one another in the moral and spiritual development of the fulfillment of the proposes of the Serbian Holy Orthodox Church.

Art. 70

Members of the congregation are only those Serbs who have voluntarily assumed upon themselves the duties and burdens prescribed by the church school by-laws and have thereby achieved the right to actively participate in the work of the Church-School Congregation.

Art. 71

Any person who desires to become a member of the congregation reports to the congregation board which either accepts or rejects him by a majority vote. Persons not admitted to membership or when they are expelled from same, are entitled to grievance to the Diocesan Council within thirty days from the day the decision of the Church-School Board was submitted unto him. The decision of the Diocesan Council is final and obligatory for both sides on this grievance.

Art. 72

Persons not abiding with the statutes of the church-school by-laws are considered only as parishioners, i.e. subjects of the church and do not enjoy those rights which pertain only to the members in accordance with the by-laws of the Church-School-Congregation.

Art. 73

The following cannot be members of a Church-School Congregation:

1) persons under eighteen years of age;

2) persons who are proven to have scandalized others by their immoral conduct and life;

3) persons who can be proven to work against the church, Diocese and Orthodoxy;

4) those, who openly admit and who can be proven to be anarchists, communists, nihilists and bigamists.

Art. 74

Each new member of the Church-School Congregation must take an oath that he will be obedient to all the statutes prescribed by the Church-School by-laws, Constitution of this Diocese and the orders of the Diocesan authorities.

CONDITIONS FOR THE ORGANIZATION OF CHURCH-SCHOOL CONGREGATIONS

Art. 75

The following conditions are essential in the organization of a Church-School Congregation in one locality:

1) Petition to the Diocesan Bishop, signed by all who wish to organize a church-school congregation in which they obligate themselves to support same both materially and morally;

2) Proposal of the church-school by-laws, which must be composed in accordance with this Constitution and approved by the Diocesan authorities;

3) Petition for the establishment of a necessary fund to purchase land for the building of a school and church on same, and

4) submission of estimate and plans for the building of the church and school.

CONSTITUENTS

Art. 76

The Church-School Congregations are governed by these organs:

1) Assembly of Church-School Congregations;
2) Executive Board;
3) Controlling Board;
4) Priest- rector;
5) Tutori (wardens) of the church.

Art. 77

The assembly of the Church-School Congregation is comprised of all members in good standing.

Art. 78

Those persons, who on the day of the assembly become members, do not have the right to vote at said assembly.

Art. 79

The regular annual assembly of the Church-School Congregation is held annually on the day designated by the By-Laws of the Church-School Congregation. The election of the new board must be submitted to the Diocesan Bishop, i.e., to the Diocesan Council within fifteen days of the date of the assembly for the Diocesan statistical records.

Art. 80

The agenda for the annual assembly is set forth by the Executive Board of the Church-School Congregation and must be strictly upheld by the presidium of the assembly. In the event that certain unforeseen questions and proposal should arise in the agenda, the president of the assembly can incorporate them only under the item "questions and proposals" and discuss them as such and bring forth decisions concerning them.

Art. 81

The Executive Board is obliged to set the day of the calling of the assembly one month in advance and if possible, publicly announce the agenda.

Art. 82

The president of the Executive Board opens the assembly and calls upon the members present to elect the presidium as follows: president, vice-president, secretary and two members to verify the minutes.

Art. 83

On opening the assembly and the election of the assembly presidium, the procedure follows in accordance with the agenda. Upon submitting the reports of the activities of the Executive and Controlling Boards and the acceptance of these reports, and the same Boards are relieved of their duties, the election of a new board is conducted as well as all other items designated in the agenda.

Art. 84

Immediately following the election of new officers of the congregation they are obliged before continuing with the agenda, to take an oath before the priest and in the presence of the entire assembly, that they will perform their duties conscientiously and honestly, always keeping in mind first the interests of the congregation and their Diocese.

Art. 85

Included within the jurisdiction of the activities of the assembly are:

1) election of the presidium of the assembly;
2) submission of the reports of the activities of the retiring boards;
3) release of the old boards;
4) election of the new boards;
5) all matters which do not pertain to the jurisdiction of the activities of the church-school board;
6) the question of salaries and income of the priest and teachers;
7) questions of church-school economy;
8) questions and proposals;

Art. 86

All misunderstandings and disagreements which might arise in the course of the year between the priest and teachers on one side and the Board of the Church-School Congregation on the other side, must be submitted for consideration to the Diocesan Council. The Diocesan Council through its official Diocesan organs will investigate and study the matter and submit its decision to the Board. The decision of the Diocesan Council is final.

Art. 87

In the event that some more important questions should arise during the course of the church-school year which the church-school board is not authorized to decide and it is evident that its decision cannot be postponed until the regular annual assembly, the Board of the church-school congregation will call a special assembly which can decide only upon the matter for which it was convened.

Art. 88

At the demand of one-third of the members of the Church-School Congregation, the Board is obliged also to call a special assembly as well as if same is demanded by the Diocesan authorities.

Art. 89

All decisions of the regular and special assemblies are made by the relative majority of members present. In the event the vote is tied, the vote of the president decides.

Art. 90

Any member who abuses his privileges as a member of the Congregation by creating disorder and obstructing the procedure of the assembly, can be barred from the meeting by the presiding officers at the assembly.

Art. 91

The assembly may be opened and validly render decisions provided a relative majority of its members in good standing are present.

Art. 92

If at the first call to the assembly a relative majority of members in good standing fail to be present, a new assembly shall be called within fourteen days which may render valid decisions if more than one-third of the members in good standing are present.

Art. 93

If at this second call the required number of members fail to be present (more than one-third) the minutes on same are composed and signed by the president, priest and all present members and are then submitted to the Diocesan Council which will bring a decision on further procedures.

Art. 94

Should the assembly of the Church-School Congregation over-step the boundaries of the jurisdiction and intentionally prevent the execution of the directives of the Diocesan authorities, the Diocesan authorities are empowered to annual such decisions and to entrust the governing of the said Church-School Congregation further to the retired board and only then issue permission to call a new assembly when the Diocesan authorities receive sufficient evidence and guarantee from the membership that that assembly will be conducted in peace and in the manner prescribed by the Diocesan Constitution and the church-school by-laws.

EXECUTIVE BOARD

Art. 95

At the head of the Church-School Congregation is the congregation administration which is comprised of the Executive and Controlling Boards.

Art. 96

The Executive Board consists of: president, vice-president, secretary, treasurer, financial secretary, two tutors (wardens) and the necessary number of committee-men.

Art. 97

The Executive Board is elected by the regular congregation assembly according to the prescribed statutes for a period of one year.

Art. 98

The priest is a member of the Executive Board by virtue of his position.

Art. 99

The regular meetings of the Executive Board are held once a month and special meetings whenever the need arises.

Art. 100

The meeting is called by the president who decides and composes the agenda. The president is compelled to call a meeting at the demand of one-third of the members of the executive board.

The meeting is opened and closed with prayers read by the parish priest.

Art. 101

The decisions of the Executive Board are valid when all members are duly called when the relative majority is present (one over one-half) of its members. In the event that at the first calling not more than half of the members are present, the meeting is called again with seven days when one-third of the members can render valid decisions. In the event that this time not even one third of the members are present, the president is obliged to summon a special assembly within fourteen days at which he must bring up the question of the trust to the Executive Board. The Executive Board is obliged in its entire work and in its decisions to strictly uphold the statutes of this Constitution and By-Laws of its Church-School Congregation as well as all the directives of the Diocesan authorities.

Jurisdiction of the Executive Board is:

1) to decide the date and place of the calling of the Church-School Assembly;

2) to examine the roster of congregational membership;

3) to prepare proposals for the Church-School Assembly dealing with all matters which fall within its jurisdiction of activities;

4) to execute the decisions of the Assembly and the directives of the Diocesan authorities;

5) to inventory all real estate and financial funds of the congregation in two copies, one of which is sent to the Diocesan authorities;

6) to govern and handle with the entire real estate and financial funds of the congregation and to care for its maintenance;

7) to satisfy all the needs of the congregation, church, school, and etc. relating to this;

8) to determine the means of acquiring funds for the building and repair of the church, school, parish home, and other useful buildings; to submit proposals for and in that respect together with plans, building estimates and expenses to the Church-School Assembly for approval.

9) to propose to the assembly the manner of paying the priest, teachers and other personnel and to see that the same receive the prescribed salaries on time and in the prescribed manner;

10) to decide as to whether certain demands of the congregation shall be rejected as impossible to achieve; whether a law suit shall be started, continued, abandoned or an agreement with the opponent reached; whether certain contracts in the name of the congregation should be concluded, continued, broken or rejected, and whether anything should be purchased from congregational funds;

11) to name an attorney for the Church-School congregation in case of law suits;

12) to take care of the congregation library, organization lectures, socials and entertainment;

13) to assist the priest and teachers in the religious and moral education of the people in order that bad, morally and materially harmful habits and customs be eradicated.

14) to submit recommendations pertaining to the Orthodox Church and school; to preserve and defend the honor and dignity of the Church and Church-School Congregation;

15) to awaken and maintain in the colony love, zeal and sacrifice toward the Serbian Orthodox Church and School;

16) to represent the interests of the church and school through the president in all her external relations with outside individuals and authorities;

17) to recommend to the Board, a plenishment for teachers and priests with the approval of the Diocesan authorities;

18) to inspect the congregational school buildings as often as is necessary to assure of the exterior and interior conditions, orderliness, cleanliness; to take care of the health conditions of the school children, that they be well-behaved both in and out of school;

19) to endeavor that the teaching personnel performs its duties and to aid them in all their duties especially in enforcing proper discipline among the school children;

20) to propose that the Board decide on dismissal of children due to disorderliness;

21) to take care that the children be trained in church music and educated in the spirit of the church and Orthodox faith and in Serbian nationalism;

22) to attend school examinations and celebrations and that good students should be awarded for their achieved success, that the school is well supplied with the necessities and to care for the material needs of the school and education.

PRESIDENT OF THE CONGREGATION

Art. 102

The president of the congregation is its lawful representative and substitute before the authorities, both civil and ecclesiastical. He receives and opens congregation correspondence, calls committee meetings, opens and closes them, maintains order and peace at same; proposes matters for discussion, brings them to a vote and announces results. He takes care that at all meetings during discussion, the agenda is strictly upheld. The president has the right to admonish and if necessary, to refuse the floor and to reproach any speaker who digresses from the subject discussed or who speaks on matters irrevelent to the agenda, who does not conduct himself decently, insults established authorities or persons. In cases of disturbance or disorder he shall recess the meeting and if peace and order is not restored after that, he shall adjourn the meeting.

VICE-PRESIDENT

Art. 103

The vice-president shall substitute for the president in all matters should the latter be unable to perform his presidential duties. In the event that the president is absent and cannot preside at a meeting which he called and he has not previously advised the vice-president of same, the vice-president is authorized to preside over the meeting without his consent.

SECRETARY

Art. 104

It is the duty of the secretary to keep the minutes of the board meetings and to conduct all correspondence of the congregation which he signs together with the president. He keeps a record of the activities, preserves the files and issues membership books.

TREASURER

Art. 105

The treasurer, tutors (wardens) and the financial secretary receive according to the inventory, all the real estate and financial property of the congregation and they handle same in accordance with instructions and decisions of the Executive Board and Diocesan authorities and in accordance with the laws of the Diocesan Constitution and the By-Laws of the Church-School. The treasurer is obliged to keep a record of all the income and expenditures of the congregation throughout the entire year. He receives money from the tutors (wardens) and other persons and deposits same in the bank; pays the salaries of the congregations' personnel and all other congregation disbursements. The treasurer, financial secretary and tutors (wardens) submit a report each six months regarding the status of the treasury and congregational property.

FINANCIAL SECRETARY

Art. 106

The duty of the financial secretary is to keep a book of the income and expenditures of the congregation, to receive dues and enter same in the membership book and the book of income, and to submit the monies received to the treasurer. He will keep a record of the membership status and is to remind them on payment of dues.

TUTORS (WARDENS)

Art. 107

The duties of the tutors (wardens) are to be present regularly in church at all church services and ceremonies; to receive money in church from the sale of candles and offerings and other contributions; to exercise care of all necessary items in connection with the church and church rituals. They shall transmit all monies received to the treasurer each Sunday.

PARISH

Art. 108

The Serbian Orthodox Parish is a union of all Serbs, who profess the Eastern Orthdox Faith, live in the said place and vicinity and have one and the same parochial church and within spiritual boundaries belong to one and the same priest. Only one parish can exist on the territory of the said congregation. Change of this status can only be decided by the Diocesan Council.

Art. 109

Each parish has its parish office, its separate vital statistics books and other prescribed parochial records and books, its own parochial seal with the image of the church patron saint in the middle encircled with the following inscription: "Serbian Orthodox Church in N.N.".

Art. 110

The parish seal is safe-guarded by the parish priest and all official records, correspondence, and documents must be issued with that seal affixed. The congregation seal, however, is handled by the president of the congregation.

PRIEST-HEAD OF PARISH AND TEACHERS

Art. 111

Candidates for ordination in priestly order can be persons who completed a theology school, of good behaviour and who possesses all the qualities prescribed by the canons.

Art. 112

The parish priest is considered as such by regular, lawful and permanent appointment and approval for the assigned parish by the Diocesan Bishop; he is the head of the parish and of the parish church; stands for and is responsible for all the work in same.

Art. 113

The parish priest is assigned by the Diocesan Bishop temporarily or is elected as priest by the Church-School Congregation by plenishment and confirmation of the Diocesan Ecclesiastical Court. Temporary parish priests are assigned to those parishes where circumstances demand temporary character as for example the uncertainty that the Church-School Congregation could support a priest permanently or where for some reason, the Church-School Congregation itself is against a permanent priest, or where official Diocesan authorities, for justified reasons, detain the election of a priest.

Art. 114

The post of parish priest is vacated by:

1) death of the parish priest;

2) transfer by request, Ecclesiastical Court decrees, or by call of duty;

3) loss of position on the basis of valid sentence of qualified Diocesan authorities; and

4) regular resignation of position.

Art. 115

The vacant post of the parish priest is filled as soon as possible from the date of vacancy by the publication of plenishment and confirmation by the Diocesan Bishop. On publication of plenishment, the candidates send their application together with the original certificate of completed theology school and successfully completed theology examinations, i.e. with attached "sindjelija"—the gramata of ordination, to the Diocesan Bishop who examines the qualifications and approves those for election who have the necessary qualifications for same.

Art. 116

A priest is elected by the majority vote of the Church-School Congregation and the approved election of the Diocesan Bishop, from among those candidates who within the prescribed time submitted their petitions and certificates.

Art. 117

The Church-School Congregation is not authorized to discharge the priest or to bring another in his place without the knowledge or permission of the Diocesan Bishop.

Art. 118

The priest cannot, resign his parochial duties without the consent of his Diocesan Bishop and the knowledge of his Church-School Congregation. He can leave his parish with the approval of the Diocesan Bishop, only after having given at least a month's notice and after having surrendered the parochial office and church to the congregation in the prescribed manner.

Art. 119

A priest is obligated before leaving the parish, to surrender in utmost accuracy to the parish board, the statistical books, all other parish church books and articles which are the sole property of the Church-School congregation and which are in no respect the property of the individual priests.

Art. 120

The parish priest in his work is under the direct control of his Diocesan Bishop who performs this control personally through his Diocesan organs. Consequently, he is exclusively responsible for all his actions to his Diocesan Bishop and the Diocesan Ecclesiastical Court.

Art. 121

All grievances and accusations by the Church-School Congregation and individuals against the parish priest must be submitted to the Diocesan Bishop for his review and he, according to his own discretion and his designated rights, decides the matter himself or submits it to the Ecclesiastical Court for further action.

Art. 122

The priest is obliged to submit to his Diocesan Bishop and to the Diocesan Ecclesiastical Court all controversial issues with the Church-School Congregation and to obey their decisions.

1) In the event of a disagreement between the parish priest and the church congregation, the issue is decided by the Diocesan Council. Should investigation prove that the priest is guilty, he is to be transferred from the parish or punished by the Ecclesiastical Court.

If found, however, that the Church Congregation is at fault, the Diocesan Council must decide that the priest remain in the parish. However, if the Church Congregation does not submit to the decision of the Diocesan Council, the parish priest is to be transferred and the Church Congregation, because of its guilt remains without a priest until such time that it agrees to accept the same priest;

2) in the event of disagreement between the priest and teacher or between the priest and the congregation; or between the teacher and the congregation; or between the congregation and the priest; or between the congregation and the teacher; or between one or more (groups) full-pledged members of the congregation and board, they, each party composes its Grievance and signed by at least 10-15 full-pledged members of the congregation submits same at the first following meeting of the Executive Board of the congregation where both grievances are alone read, are

then submitted to the president of the congregation who in turn immediately sends them to the Diocesan Council. The registration of mail receipt must be pasted onto the minutes in which a record is made that the grievances were read and sent to the Diocesan Council for decision.

Art. 123

The parish priest must not preform any ritual in another parish without the consent of the priest concerned or without orders from the Diocesan Bishop in exceptional cases.

Art. 124

The Church-School Congregation, however, must not permit any of its members or parishioners to willfully bring in a priest from outside the parish to preform priestly services. In the event that such a member or parishoner transgresses this regulation, the congregation is obliged to take all possible measures to punish him for violation of order and discipline.

Art. 125

The parish priest may take leave only with permission of the Church-School Congregation and Diocesan Bishop. In the case of a one week leave, he finds a substitute for himself, preferably a Serbian priest. In case of a longer leave, he requests a substitute from the Bishop. This question, further, the priest is obliged to regulate mutually with his substitute in accordance with the By-Laws of their respective Church-School Congregations.

Art. 126

The duties of the parish priest are:

1) to perform all the Holy Sacraments and rituals in the church as well as in the parish and always in strict accord with regulations and canons of our Orthodox Church and its rules;

2) to teach his parishoners and youngsters of both sexes, at all opportune times, the principals of faith and christian morals;

3) to preach on every holiday and if possible to speak upon request at public gatherings and socials;

4) to keep church records of births, marriages and deaths and other prescribed parish books in accordance with the instructions of authorized Diocesan authorities;

5) to issue excerpts from these books in official form and with the affixed parish seal, which as such have the validity of official documents;

6) to endeavor that parishoners, if there is no church or school in the parish, erect same within their financial limitations;

7) to endeavor that the church and school interior, church utensils and the area around the church and school are kept clean and orderly.

Art. 127

The duties and the functions of the priest include both the religious-moral as well as the educational spheres, as long as the priest in America by the power of circumstances, is compelled to perform both his priestly and instructive duties simultaneously.

Art. 128

As a teacher, the priest is obliged to conduct his parochial school, if possible twice a week and to teach the children catechism, reading, writing, geography, history and church singing.

Art. 129

In those congregations having more then 150 homes, the priest is not obliged to conduct complete teaching duties but only to teach religion and church singing to children two hours weekly. Such a congregation is required to obtain its own regular teacher.

Art. 130

Teachers are elected by the Church-School Congregations by plenishment, the same as priests and the election is approved by the Diocesan Council. As far as a vacancy of this post is concerned, subsitution, vacation or sick-leave, the same regulations apply as in the case of priests.

Art. 131

a Candidate for teacher can be a person who completed a teaching or other recognized school, is of good conduct, Serbian of Orthodox Faith and has all the qualifications of an educated worker and pedagogue.

Art. 132

The relationship between the priest and teacher must be such as to serve as an example to all members of the Church-School Congregation and parishioners.

Art. 133

All misunderstandings and disagreements which could arise between the priest and the teacher and which they themselves cannot solve, are submitted to the Diocesan Bishop, i.e. to the Diocesan Council for consideration and decision.

Art. 134

The teachers will follow the teaching curriculum and use the textbooks and other instructive methods which the Diocesan Council will prescribe by special rule.

Art. 135

The school work of the priest and the teacher is subject solely to the supervision of the educational supervisor or special representative from the Diocese but never by the Church-School Congregation which is unauthorized to do so.

Art. 136

The Church-School Congregation is obliged to protect the honor and the dignity of its priest and teachers and accordingly must not demand anything in their service or work which would belittle and lower their dignity and authority before our people, the Americans and other outsiders.

Art. 137

The priest is not obliged to walk at funeral processions and parades because it is unpractical as well as dishonorable in the eyes of the Americans and others.

Art. 138

The priest aside from his regular salary agreed upon with the Church-School Congregation, is entitled to the following sources of income:

1) from each excerpt from the record book of births, marriages, and deaths, the sum of $2.00;

2) from the blessing of water and cutting of the Slavski Kolac'' the sum of $2.00;

3) for announcement of marriage bans, the sum of $1.00 for each announcement;

4) for requested prayers, the sum of $1.00;

5) for the blessing of new homes, the sum of $5.00;

6) for requiem (parastos) services, the sum of $2.50 from members and $5.00 from non-members;

7) voluntary offerings from the blessing of homes during the Theophany season.

Art. 139

The priest is obliged to conduct without compensation, the following services and obligations;

1) regular church rituals and services;

2) processions with evening services, carrying of the Cross and the blessing of the Holy water;

3) special general rituals and services;

a) on general national festive days;

b) general thanksgiving services and prayers at the beginning and close of the school year;

c) general thanksgiving services and prayers which are ordered by the higher spiritual authorities, according to need (in times of epidemics or in any other general necessity)

d) memorial services to deserving deceaseds for the Fatherland;

e) twice annually (memorial service) for all deceased as prescribed by the church;

f) blessing of the water on the Day of the Holy Cross and Theophany in the church or in the river.

g) myrrh annointment and confession.

Art. 140

Fees for the main parochial rites: baptism, marriages and funerals are determined by the Church-School Congregation according to the By-Laws of the congregation and the circumstances in the parish. What part, if any, of this fee will go to the priest will be regulated by each individual church congregation in agreement with its priest.

Art. 141

The regular monthly salary of the priest and teacher is determined by the Church-School Congregation for each year in advance in agreement with the Diocesan religious-educational section.

Art. 142

The Church-School Congregation is obliged to place at the priest's disposal, a parish home which is furnished with heat, electricity and telephone. In the event that the congregation does not have a parish home, it assigns to the priest an agreed allowance in lieu of the parish home.

Art. 143

The Church-School Congregation cannot decrease the salary of the priest and teacher without the consent of the Diocesan Bishop and Diocesan Council.

Art. 144

In case of the illness of the priest or teacher and the physician forbids him to leave his sick-bed, the Church-School Congregation is obliged to pay his wages for the month in which case the Diocesan Bishop names a substitute. The priest substitutes gives all the additional income from the rites and sacraments to the congregation of the ill priest. If the illness is prolonged for more then one month, the congregation stops his wages and informs the Diocesan Bishop of same, i.e. The Diocesan Council, who in turn decide the question of replacing the ill priest.

In the event of the death of the priest, i.e. teacher, the Church-School Congregation cannot deprive his family from remaining in the parish home with furnished utilities for a period of one month.

Sixth Part

PROPERTY AND FUNDS

A) I DIOCESAN PROPERTY

Art. 146

Under the heading of Diocesan property is included that property which is owned by the Diocese and under Congregation property is included that property owned by the Church-School Congregation.

Art. 147

The property of the Church-School Congregation in individual colonies belongs exclusively to the said congregation without Diocesan rights to same. Only in the event of request by the membership of said congregation does the Diocese have the right to control same.

Art. 148

Exact inventories must exist for all of the above mentioned property, composed by organs authorized to supervise them, one copy of which should be sent to the Diocesan Council for safe-keeping. The inventories must be corrected and in accordance with the actual status of the property brought up-to-date at the end of each year.

Art. 149

The above mentioned property and its assets are to serve exclusively for the purpose designated by the statutes of this Constitution and cannot be used for any other purpose.

Art. 150

Real estate must be registered with the land registrar; the diocesan in the name of the Diocese and the congregational in the name of the Church-School Congregation who are the owners.

Art. 151

Houses, churches and other buildings must be insured against fire damage.

Art. 152

The authorities handling the above mentioned properties must always maintain same in good and usable condition and are responsible for any damage which might occur at their fault, carelessness or negligence and will be responsible by law and in accordance with the decision of the Diocesan Council.

2. CHURCH-SCHOOL CONGREGATION PROPERTY

Art. 153

The church-school Congregation property is all that property without exception acquired by individual congregations with their material means. The Church-School Property serves the church, school, educational and humanitarian purposes of said congregation and particularly in the

erection, maintenance and decoration of the local churches, for supplying same with the essential church items, books, icons, vestments, and other items required by the church for the erection and maintenance of parish homes, churches, and for the salaries for local priests, teachers and other church and school personnel according to the purposes for which the said properties are dedicated.

Art. 154

Direct supervision of the Church-School Congregation on property is made by the Church-School Congregation, and they serve for the church, school and religious-educational aims of the individual congregations and higher control is made by the Diocesan Council, i.e. Fnancial Executive Board.

B) I DIOCESAN FUND

Art. 155

Under the heading of Diocesan Fund are all the funds and assets which the Serbian people of the entire Diocese, individually or collectively through their church-school congregations and other various societies and organzations should establish, increase and dedicate to the mutual necessities of its church and school for the religious and educational aims of the entire Diocese. All the income from the Diocesan property and various Diocesan institutions belong to this fund. The Diocesan funds are supervised by the Diocesan Council through its Financial Board-Section which should be constituted by the first regular meeting of the Diocesan Council.

Special church-school funds dedicated exclusively for the school and educational necessities, are supervised by the Diocesan Religious-Educational Board with a separate treasury.

Art. 156

All real estate and personal property of the St. Sava Monastery in Libertyville as well as the other Serbian Monasteries should they be organized, is supervised by the monastery's administration under the direct control of the Diocesan Bishop.

Art. 157

The Diocesan Council is obliged to set up a budget at its first meeting which would stand to support the entire Diocese and to appropriate sufficient means to realize same.

Art. 158

The income of the Diocesan fund will be obtained primarily through assessments and voluntary donations of all the clergy, Serbian Orthodox Congregations and organizations.

Art. 159

The Church-School Congregations are obligated morally to assume their monthly share of the regular maintenance of the Diocese, which will be assessed in accordance with the population and possibilities of said congregation, and they will, on the other hand, in accordance with their circumstances offer the best possible manner to meet with their obligations.

Art. 160

The Diocesan Council shall appeal to all Serbian benefactors and benevolent federations, societies and organizations, to designate a regular monthly contribution per member to the Diocesan fund for the maintenance of the Diocese.

Art. 161

The Diocesan Council will designate specific persons periodically who will be authorized to collect voluntarily donations in designated territories for the Diocesan fund.

The income from all celebrations at the monastery in Libertyville belong to the monastery in Libertyville.

Art. 162

The Diocesan Council will endeavor to open, as soon as possible, a Diocese supply store which will provide items for sale such as religious and educational books, candles, incense and all other necessities, all the income from same to be entered into the Diocesan funds. All income from Diocesan economy will be included in the Diocesan fund, when it is sufficiently developed.

2. SEPARATE FUNDS AND PLEDGES

Art. 163

Under the heading of Separate Funds are understood all those funds which in time private individuals or the Diocesan Council itself could organize and dedicate to the separate religious and educational aims of the Diocese as a whole or for the individual Diocesan institutions and church-school congregations.

Under Pledges are to be understood all private bequests which are entrusted to the Diocese for handling and with special designated purposes.

The Diocesan Council is obliged to prescribe a separate rule for the handling of same at its first meeting following the organization of a separate fund or receipt of a bequest.

All separate Funds and Bequests serve exclusively for the purposes designated and are not to be used for any other purpose.

If the purpose for which the specific fund or bequest was established is discontinued, The Diocesan Council shall suggest to the Diocesan Assembly that all these funds be used for other religious-educational aims.

All bequests are made by special wills in which detailed aims are outlined as well as the manner and useageof same.

The will is to be composed and submitted in triplicate, one copy of which remains with the benefactor, i.e. his inheritors; one copy with the organ handling the bequest and one with the Diocesan Council.

The Diocesan Council is obliged to publicize monthly statements of the status of not only the general Diocesan Fund, but the status of the Separate Funds and Bequests as well.

PLAINTIFFS' EXHIBIT 31

Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 22, 1968
In Belgrade

EXCERPT

From the Minutes of the meeting of the Holy Assembly of Bishops for 1939.

In these Minutes it is recorded that the meeting of the Holy Assembly of Bishops was held on May 11/24, 1939 in Belgrade.

From the Minutes it can be seen that at this meeting there were several subjects to be decided.

Among other things in the Minutes in the appropriate place this also is recorded:

"Minutes No. 132

Holy Assembly No. 69

His Grace Bishop Nektarije, as reporter of the Legislative committee reports on the amendments to the Constitution of the Serbian Orthodox American-Canadian Diocese.

The motion of the American-Canadian Bishop Damaskin is given consideration regarding changes and amendments to the Constitution of the Serbian Orthodox Diocese of America-Canada.

Upon study the committee established that Bishop Damaskin of America-Canada submitted to the Holy Synod of Bishops two exhibits: No. 128 of January 18th, 1939 and No. 131 of January 19th, 1939. In these exhibits are mentioned, on the basis of the decisions of the Church-National Assembly (Sabor) of the American-Canadian Diocese of 1931 and 1938 all the changes and amendments which should be entered in the Constitution, and the necessary explanations and justifications are given.

His Grace Bishop Damaskin reads a report on conditions he found in the American-Canadian Diocese, and how it is necessary that Constitutional order be established. The proposed changes have passed through the Synodal meeting and they are not contradictory to the Constitution of the Serbian Orthodox Church in Yugoslavia.

The Legislative committee upon studying the remarks and hearing of the justifications of the same from His Grace Bishop Damaskin of America-Canada, recommends the following decision to the Holy Assembly of Bishops:

"To adopt the changes and amendments as set forth in the act of His Grace Bishop Damaskin of America-Canada officially in Diocese No. of 6/19 of May, 1939, and to authorize the Holy Synod of Bishops to publish the Constitution of the American-Canadian Diocese with the accepted changes and amendments in the official paper of the Serbian Orthodox Church."

The Holy Assembly of Bishops decides:

To adopt the recommendation of the Legislative committee.

It is further noted that with the adoption of the Constitution for the Serbian Orthodox diocese of America-Canada that the question of the Bishop's See is settled. The Residence of that Diocese is in Chicago."

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9th, 1968 — Supreme Secretary
Belgrade — Holy Synod of Bishops
The Patriarchate — Mladen Mladenovich (signature)
(SEAL)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 32

Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 22, 1968
In Belgrade

EXCERPT

From the Minutes of the meeting of the Holy Synod of Bishops for 1935.

In these Minutes it is noted that a meeting of the Holy Synod of Bishops was held on the 14/1 December, 1935 in Sremski Karlovci.

From these Minutes it can be seen that there were several subjects to be decided.

Among other things in the Minutes in the appropriate place this is also noted:

"Min. no. 1946

Syn. No. 7274

Zivojin Ristanovich, secretary of the American-Canadian Diocese reports by telegram that his Grace the American-Canadian Bishop Mardary departed this life in the Lord on December 12th of this year.

Upon due consideration the Holy Synod of Bishops renders this decision:

His Holiness and the present members of the Holy Synod of Bishops by standing and with a short prayer pay respects to the departed in the Lord Bishop Mardary which is hereby noted in the minutes.

To express by telegram sympathies to the American-Canadian Diocese relative to the death of the blessed-in-repose, Bishop Mardary.

To inform by telegram all diocesan bishops of the death of the blessed-in-repose Bishop Mardary and request that they offer prayers to God for the salvation of his soul.

In accordance with article 64, pt. 22 of the Church Constitution, and in connection with article 13 of the Constitution of the American-Canadian Diocese request of His Holiness Patriarch Varnava to assume governing the American-Canadian Diocese until an administrator be appointed and to inform the Ecclesiastical Court of the American-Canadian Diocese of the same."

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9, 1968 — Supreme Secretary
Belgrade — Holy Synod of Bishops
The Patriarchate — Mladen Mladenovich (Signature)
(SEAL)

(translator's certification omitted)

PLAINTIFFS EXHIBIT 33

Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 22, 1968
in Belgrade

EXCERPT

From the Minutes of the meeting of the Holy Assembly of Bishops for 1936.

In these Minutes it is noted that a meeting of the Holy Assembly of Bishops was held on the 8th day (21) of June, 1936, in Sremski Karlovci.

From the Minutes it can be seen that there were several subjects to be decided.

Among other things in the Minutes in the appropriate place this also is noted:

"Minutes 150

Holy Assembly No. 88

That the vacant American-Canadian diocese not be filled until the next regular session of the Holy Assembly of Bishops, but that during that time His Grace Bishop Irinej (Djordjevic) of Dalmatia administer this diocese."

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9th, 1968 — Supreme Secretary
Belgrade — Holy Synod of Bishops
The Patriarchate — Mladen Mladenovich (signature)
Archpriest
(SEAL)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 34

The Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 22nd, 1968
In Belgrade

EXCERPT

From the Minutes of the meeting of the Holy Assembly of Bishops for 1938.

In these Minutes it is noted that a meeting of the Holy Assembly of Bishops was held on the 9/22 day of June, 1938 in the Patriarchal palace in Belgrade.

From the Minutes it can be seen that there were several subjects to be decided.

Among other things in the Minutes in the appropriate place this also is noted:

"Minutes No. 126

His Holiness the Patriarch sets forth the agenda for the filling of the American-Canadian Diocese. Relative to this His Holiness in behalf of the Holy Assembly of Bishops turns to His Grace Bishop Damaskin of Mukacevo Prjasevo and beseeches him to accept the governing of the American-Canadian Diocese, having in mind his successful work in the Carpatho-Russian diocese and hoping that with such work he would succeed in completing the organization also in our American-Canadian Diocese.

His Grace Bishop Damaskin states that it is his desire to return from a foreign country to serve in his own homeland, however if it be God's will and the will of the Holy Assembly of Bishops other than what he thought, then he cannot oppose it.

The Holy Assembly of Bishops unanimously elects as Bishop of the American-Canadian Diocese His Grace Bishop Damaskin, heretofore Bishop of Mukacevo-Prjasevo."

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9th, 1968
Belgrade
The Patriarchate

Supreme Secretary
Holy Synod of Bishops
Mladen Mladenovich (signature)
Archpriest

(SEAL)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 35

Holy Synod of Bishops of the
Serbian Orthodox Church
No. 3602/min. 653
October 22, 1968
In Belgrade

EXCERPT

From the Minutes of the meeting of the Holy Synod of Bishops for 1939.

In these Minutes in which it is noted that the meeting was held on November 25, (8.XII) 1939 in the Patriarchal palace in Belgrade, this also is noted:

"Minutes No. 81

His Holiness the Patriarch moves that for the vacant American-Canadian Diocese a Bishop be elected, and makes the motion that His Grace the Bishop of Morava Dionisije, vicar bishop to His Holiness, be unanimously elected as the Bishop of America and Canada.

The Assembly unanimously elects His Grace Bishop Dionisije of Morava and vicar Bishop of His Holiness as Bishop of America-Canada."

That this excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

November 9th, 1968
Belgrade
The Patriarchate

Supreme Secretary
Holy Synod of Bishops
Mladen Mladenovich (signature)
Archpriest

(SEAL)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 36

Holy Assembly of Bishops of the
Serbian Orthodox Church
AS No. 21C/minutes 81
December 8/Nov. 25, 1939
Belgrade

TO THE HOLY SYNOD OF BISHOPS

The Holy Assembly of Bishops in its session under the above reference number and date has elected the Right Reverend Sir Dionisy Suffragan Bishop of Moravitza for the American and Canadian Bishop, regarding which it is our honor to inform Holy Synod of Bishops with our petition for the further action within your jurisdiction.

ARCHBISHOP METROPOLITAN
AND SERBIAN PATRIARCH
Gavrillo

PLAINTIFFS' EXHIBIT 37

THE HIERARCHAL OATH

Of the unworthy one among the archimandrites, Dionisije

FIRST QUESTION:

Wherefore art thou come, and what doest thou ask of our meekness?

ANSWER:

Chirotony unto the grace of the Bishop's office, the Most Reverend Sirs!

SECOND QUESTION:

How believest thou?

ANSWER:

I believe in one God, the Father Almighty, Maker of Heaven and Earth, And of all things visible and invisible;

And in one Lord, Jesus Christ, the Only-begotten Son of God, begotten of the Father before all worlds; Light of Light, Very God of Very God, Begotten, not made; Being of one Essence with the Father; By whom all things were

made; Who, for us men, and for our salvation, came down from heaven, And was incarnate by the Holy Spirit of the Virgin Mary, And was made man. And was crucified, also for us, under Pontius Pilate, and suffered and was buried. And the third day he rose again, according to the Scriptures. And ascended into heaven, And sitteth on the right hand of the Father. And he shall come again with glory to judge both the quick and the dead; whose kingdom shall have no end.

And in the Holy Spirit, the Lord, the Giver of Life, Who proceedeth from the Father, Who with the Father and the Son, together, is worshipped and glorified, Who spake by the Prophets. And in the One Holy Catholic and Apostolic Church. I acknowledge one Baptism for the remission of sins; I look for the resurrection of the dead; And the Life of the world to come. Amen.

THIRD QUESTION:

Reveal unto us more elaborately how thou believest in regard to the properties of the Three Persons of the Incomprehensible Godhead?

THIRD QUESTION:

ANSWER:

I believe in One God in Three Persons; The Father and the Son and the Holy Spirit, of which one should think of as separate Persons only as the personal properties go; but as being indivisible in the substance. One and the self-same is the whole Trinity and it is one whole unity; unity in substance and in nature. But it is the Trinity in regard to the properties of the persons, to-wit: Of the Father and of the Son and of the Holy Spirit. The Father is not born and has no beginning, as he has his existence from no one, but only from Himself.

I believe, also, that the Father is the source of the Son and of the Spirit; Of the Son through the begetting, and

of the Holy Spirit through the procession. The Father begets the Son and issues forth the Holy Spirit; and the Son is begotten from the Father, and the Holy Spirit proceeds from the Father. And, so, I venerate one beginning and I profess the Father as being the Only Source of the Son and of the Spirit.

I say, also, that the Son's origin is above time and space; not as the beginning of the creations; as of the one that was created first; namely, not as a first-created being which is supreme above all (other beings) by the ancientness (of its origin) God Forbid—because that would be the vain talk of the Arian impiety; (it would be) what the infamous Arius blasphemously used to teach, that the Son be a creation and, so, the Holy Spirit. I do say that the Son has the origin of the One who has no beginning; (being) co-eternal (with Him) and, so is the Holy Spirit. Neither Father from the Son is separated, neither Son from the Spirit, neither Holy Spirit from the Father; but, wholly, the Father is in the Son and in the Holy Spirit and, wholly, the Son is in the Father and in the Holy Spirit, and wholly, the Holy Spirit is in the Father and in the Son. Because they are united and indivisible uniquely. I profess, also, that the Word of God, co-eternal with the Father, above the time, incomprehensible, unlimited, descends down to our nature and accepts the degraded (nature of) man from the pure and virginal blood of the All-Chaste, pure, Virgin, in order that he may grant to all the world salvation and the grace, because of his loving kindness; while being God, he suffered by his body, but in no manner in his divinity. He then died, accepting the death on our behalf. But his divinity at that time was not subject to the passions. After his resurrection from the dead, he ascended into heaven and sat at the right hand of the Father. When I say, "at the right hand of the father," I do not mean to describe the

place, but under the union at the right hand of God. I understand that the unoriginate and pre-eternal glory which the Son had before His incarnation, He possesses the same, also, after the incarnation.

Because His holy body is worshiped together with his divinity by a becoming worship, it is not as something that the Divine Trinity has gotten as having been added to the Holy Trinity by the additional growth—God Forbid—because the Trinity remained all the time a Trinity and because after the union with the Only begotten One it (the body) remained inseparable from Him and His Holy Body still remains with Him forever. With it (The Body) He will come again to judge both the living and the dead, the righteous and the sinners. The righteous ones, he will reward for their faith and virtuous works by the Kingdom of Heaven, for the sake of which they have struggled here, and unto the sinners the eternal vexation and the fire of the Gehenna, which ends not; which may God grant all to escape and to obtain the promised blessings in Jesus Christ, our Lord!

FOURTH QUESTION:

Reveal unto us more elaborately how believest thou in the incarnation of the Hypostatic Son and the Word of God?

ANSWER:

I believe in one God, the Father Almighty, Maker of Heaven and Earth, and of all things, visible and invisible; For he is without beginning, unbegotten, and without source, but is Himself the natural beginning and cause both of the Son and of the Spirit.

And I believe in His Only begotten Son, begotten of him without leaving Him and outside of the time; being of one Essence with Him, through whom all things were made.

And I believe in the Holy Spirit, who proceedeth from the same Father, and with Him is glorified as co-eternal, being of one essence with Him, and equal in glory, and enthroned together with Him, the Co-Author of Creation.

I believe that One, of the same super-substantial and life-giving Trinity, the Only begotten Word, came down from heaven, for us men and for our salvation, and was incarnate by the Holy Spirit of the Virgin Mary, and was made man; that is to say, was made perfect man, yet remaining God, and though nowise changing his Divine Essence, because of His participation in the flesh; neither being transmuted into anything else; but without mutation assuming man's nature: He therein endured passion and death; being in His Divine Nature free from every passion. And on the third day, He rose again from the dead; and ascended into heaven, and sitteth at the right hand of God and the Father.

And I believe, with regard to God, those traditions and narrations of the One Catholic Orthodox and Apostolic Church. Furthermore, I confess the one Hypostasis of the incarnate word; and I believe and proclaim that Christ is One and the same, while in two natures after His incarnation, preserving what He has been and that from what He originated. Therefore, also, I honor two wills, as each nature retains its own will and its own action. I honor, relatively, but not as in the way of worship, the Divine Icons, and I reverence them as worthy of adoration; (the Icons) of Christ and of All-Undefiled Mother of God and of all the Saints, addressing to the originals of those (Icons) the adoration shown to them.

I reject as ill-advised those who thing contrariwise; I anathematize Arius in those who are of his mind and who share his infamy which is void of truth. Macedonius (also) and those who together with him rightfully are called

Pneumatomachians; Nestorius, likewise, and the rest of the archheretics and those of the same mind with them; I reject them an anathematize them and clearly I pronounce in a loud voice; Anathema to all Heretics; wherever they be, to all heretics, anathema!

And I literally and truly glorify our Sovereign Lady, Mary, the Birthgiver of God, as having born in the flesh one of the Trinity, Christ, Our God; Would she be unto me a Helper! Protectress, and a Defender all the days of my life. Amen.

FOURTH QUESTION—continuation:

Reveal unto us, as well, how thou holdest the Canons of the Holy Apostles and of the Holy Fathers?

ANSWER—continuation:

In addition to this, my Confession of the Holy Faith, I promise to observe the Canons of the Holy Apostles and of the Seven Ecumenical and of the pious Regional Councils, which were made into the laws to safeguard the proper order; And the rules and the Holy Constitutions which have been formulated during the times and years by those who have truly stood for the Holy Eastern Orthodox Faith; those, as well, I will observe firmly and will not transgress against them till the end of my life. I witness that I promise to do so. And all what they accepted, I will accept as well, and what they rejected I, too, reject.

And, also, I promise to preserve the peace of the Church and firmly to safeguard and zealously teach the people entrusted to me and not to devise anything whatsoever which is contrary to the Orthodox Eastern Christian Faith all the days of my life; And that I will, in everything, always be obedient to the Most Holy Assembly (of Bishops) and to the proper authority, and with the Right Reverend Bishops, my Brethren, I will be in accord in everything and, jointly, with them I will be submissive to the Divine Laws

and the Holy Canons of the Holy Apostles and of the Holy Fathers; and that I will wholeheartedly cherish towards them spiritual affection and will regard them as my Brethren.

I promise to rule the flock entrusted to me in the fear of God and in a God-loving way, and to guard them from Latinism and all other heresies by teaching them with every heartfelt zeal.

And, also, I declare in this, my writing, that, neither by the promise, nor by the gift of gold or of silver, have I attained this ministry; neither did I give to anyone anything in order to obtain this office; neither did I promise to give to anyone anything; but, without any pay, I attained it by the election of the Most Holy Bishops' Assembly of the Serbian Orthodox Church, and by the consent of His Majesty, the pious Sovereign and King Peter II; while those who obtained (this office) for money I deem to be fit for ex-communication, likewise, as Simon, the Magician, who wanted to obtain this Grace for money.

In addition, I promise, also, to do nothing through constraint, whether through the coercion on the part of powerful persons or by any multitude of the people, even though they should command me, under pain of death, to do something contrary to the Divine and Holy Canons; nor will I celebrate the Divine Liturgy in another Diocese of any Metropolitan, Archbishop or Bishop, outside my own; nor to exercise any other priestly function without the permission of the Bishop of that Diocese, outside of the Diocese which has been given to me by the Most Holy Bishops' Assembly. And, wherever I might happen to be, I will not ordain either a Priest or a Deacon, or any other ecclesiastic in another Diocese, nor will I receive such into my Diocese without the letters of dismissal from their own Bishops.

And, also, I promise, when the Most Holy Synod pleases to call me to attend any Council with by Brethren Hierarch, I will attend the Council without any excuse or word. And should even some of the Potentates or a throng of people try to stop me, I will not be disobedient to the orders of the Most Holy Synod.

Furthermore, I promise not to introduce any alien customs in the Church traditions and rites, especially the newly introduced ones by the Latins, but I will guard the traditions and all the rights undistorted and in one accord with the Holy Eastern Orthodox Church, and, in unanimity, with the most Holy Assembly (of Bishops) and with the most Holy Patriarchs who are the guardians and the governors of the Eastern Piety.

And, I am not to ordain at one Liturgy the Presbyters and Deacons, in each of the orders, by two, three, or more; but at each Liturgy (only) one Presbyter (only) and one Deacon will I ordain; and at the Liturgy of the Pre-Sanctified Gifts—only one Deacon, according to the rite of the Holy Eastern Church, and as it is laid out in the expositions of the Holy Patriarchs and who are with them, the Orthodox Hierarchs.

Furthermore, I believe, and in wisdom I hold that at the Holy Liturgy the change into the body and blood of Christ takes place, as the Eastern and our own Serbian teachers of old taught, by the descent and action of the Holy Spirit, through the Hierarchal or Priestly Epiclesis (invocation) through the words of the prayer, which is addressed to God, the Father; "And make this bread to be the worshipful Body of Thy Christ"; and so forth . . .

Furthermore, I promise and I give my oath, that to His Royal Majesty, our Pious Sovereign, and King, Peter II, I will remain faithful to the end of my life.

In addition to this, I promise that I will not, through my own passionate will or because of any quarrels either with myself or with my subordinates, anathematize or ex-communicate from the Sacraments of the Church, anyone, personally or with his household; except the one who proves himself to be a public transgressor and one who destroys the Divine Commandments; or the heretics, opposed to the Church, and that (I will do) according to the Word of Christ, after three warnings. The one who remains disobedient and unrepentant I will anathematize and ex-communicate, him only, and not his household.

With the opponents of the Holy Church (I will) deal reasonably, uprightly and gently, in accordance with St. Paul, as the servant of God, must not strive, but be gentle unto all men, apt "to teach, forebearing, and one who with meekness admonishes the disobedient"; so, if peradventure, God will give them repentance and the understanding of the truth.

The Monastics, I will endeavor that they live according to the rules and constitutions established for them, so that they do not wander from one monastery to another, neither they enter the homes of laity without my knowledge and written consent, except if it happens, in case of same emergencies, that they would respond to the request or, in case of need, to extend help to the others.

I will not build or allow others to build Churches needlessly so that they should not become redundant for the lack of users.

Likewise, I will not multiply above the proper need Priests and Deacons or other ecclesiastics, for the sake of some impure gain; neither for the sake of some inheritance; but only for the sake of shepherding of the people, and for the sake of the real needs of the Holy Church.

And, also, I promise that the whole flock entrusted to me I, personally, will visit every year, or at least once in two or three years, according to the Apostolic Custom, and I will supervise them. I will not make visits for the sake of any lucrative gain or honor, but as an apostle of the Lord; (to see) how do the faithful fare in the faith and in the good deeds or righteousness, and, especially, the clergy. And, I will zealously watch over them, will teach and warn, so that there will be no schisms, superstitions or any religious activities which are not acceptable to God; so that the habits and customs which are contrary to the Christian Piety should not become a detriment to the way of life that behooves Christianity;

In the worldly affairs and acts I will not enter, except if any public unrighteousness be committed. In respect to that, I will have, first, to instruct and, later, to defend the weak. But I will make it (my intervention) short.

I promise, as well, and I profess myself to be dutybound to safeguard ceaselessly all that is provided by the Constitution of the Holy Orthodox Serbian Church and by the rest of the decrees and ordinances. I will bear in mind always, what is the truth and the just. All that, I will do conscientiously, not as a slave of Hypocrisy, not as one who is sick, enmity, envy, stubbornness, gainfulness, or plainly as one who is enslaved by any passion; but with the fear of God, always having in my mind the inevitable Judgment with the sincere Love of God and of my neighbor, having asked the ultimate goal of all my thoughts, words and actions, the Glory of God and the salvation of the souls of people, and the building up of the Church, not asking, "what is my own," but "what is of the Lord, Jesus?"

I swear, by the Living God, that I will always keep in my mind His awesome Word: "Accursed be everyone who does the work of God negligently." In every action of this

office, I will behave as in the business of God, without laziness, with every zeal, to my utmost might, and I will not harbor my ignorance, but should I not be sure in my mind in regard to anything, I will endeavor to ask for enlightment and knowledge from the Sacred Scriptures and Canons and the Councils, and from the consensus of the ancient great Teachers (of the Church).

Should I transgress against whatever I promised here, or should I be disobedient to the Divine Ordinances and Order of the Eastern Orthodox Church, or to the Most Holy Assembly (of Bishops) I, personally, will become a schismatic and should I make the Diocese entrusted to me in any manner to become disobedient to the Most Holy Assembly (of Bishops), May I, in that case, be defrocked of my rank and divested of the (episcopal) authority without any excuse or gainsay, and (may I) become an alien to the heavenly gift which is being given unto me by the Holy Spirit through the Consecration of the Laying of Hands.

Furthermore, I swear by the omniscient God that what I am promising here I do not interpret differently in mind than I expressed it by my lips; (not differently) than in the meaning and understanding as the words written herein are understood by those who read them and by those who hear them.

All, what I have promised today in words, I am obliged to do in deeds until the last breath, for the sake of future blessings, I confirm with my Oath: May God, who knows hearts, be a witness of my promise, that it is true, though it might not be true, and if it is not according to my conscience, may be he unto me a just avenger!

In my sincere and heartfelt bearing and actions, may Our Savior, Jesus Christ, be my Helper! May to Him, together with the Father and the Holy Spirit, be Glory and the Power and the Honor and Worship now and ever and unto the ages of ages. Amen.

The Unworty One among the Archimandrites,
the Abbott of the Imperial Abbey, Visoki Dechani and the Principal of the Monastic School,
Dionisije Milivojevich,
Professor

Because the Most Holy Hierarchic Assembly of the Serbian Orthodox Church has elected me, having deemed me to be worthy for such an office, and His Majesty, our Pious Sovereign and King, Peter II, of Yugoslavia, has been pleased to confirm that election, I thankfully accept and not a bit speak against thereof.

R
(resolved)
Keep this in the custody
of the Archives of the
Holy Bishops' Synod.
8/21 of August, 1938
in Belgrade.

The day of the chirotony
into the episcopal rank
of Dionisije,
the Vicar Bishop of Moravica

Archbishop Metropolitan
and Serbian Patriarch
+Gavrilo
The Holy Bishops' Synod
of the Serbian Orthodox Church,
Reference Number:4949,
29/16 of August, 1938,
Belgrade.

(translator's certificate and notarization omitted)

PLAINTIFFS' EXHIBIT 38

THE HOLY SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

EXCERPT

From the Minutes of the Meeting of the Holy Assembly of Bishops for 1951.

His Grace the American-Canadian Bishop Dionisije, by an Act of May 5, 1951, submitted a report on the state of the Diocese entrusted to him, of his work, the work of the clergy of that Diocese, and the Church-school congregations.

The Report is written on 13 pages typed on typewriter.

On page 12 Bishop Dionisije suggests and pleads with the Holy Assembly of Bishops to decide:

1. That the territory of all South America be officially annexed to the ecclesiastical jurisdiction of the American-Canadian bishop;

2. That the title of the Diocese be amended on two points: The Serbian Orthodox Church in the United States of America, Canada, and South America;

3. That a decision be made in principle that he be allowed as a bishop the election of at least one Vicar-bishop.

This report of His Grace Bishop Dionisije was before the Holy Assembly of Bishops for review and decision, and concerning the same the Holy Assembly of Bishops at its regular meeting, held June 11 (May 29), 1951 in the Patriarchial palace in Belgrade, rendered the following decision:

"Holy Assembly No. 26 and 37

Minutes 56.

1. Since adequate data is lacking on conditions in this Diocese, as also concerning the Diaspora, which could be submitted to the Holy Synod of Bishops by a contemplated Delegation, the proposals of the American-Canadian Bishop Dionisije cannot for now be adopted concerning changing the Constitution, concerning expanding the territory of the Diocese, and concerning the election of a Vicar-bishop; however the question of administering the Diaspora is left to His Holiness the Patriarch in accordance with the Constitution, article 55, point 12."

That this excerpt from the designated Minutes is faithful to its original, is affirmed and certified by

January 29, 1969 — Supreme Secretary
Belgrade (SEAL) — Holy Synod of Bishops
The Patriarchate — S/Mladen Mladenovich
Archpriest

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 40

THE HOLY SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

EXCERPT

from the Minutes of the meeting of the Holy Assembly of Bishops for 1951.

In these Minutes in which it is recorded that the meeting was held June 1 (May 19), 1951 in the Patriarchal palace in Belgrade, this is recorded:

"Holy Assembly No. 30

Minutes 6.

His Holiness the Serbian Patriarch Vikentije reads the act of His Grace the American-Canadian Bishop Dionisije in which he reports that because of illness he cannot attend this annual session of the Holy Assembly of Bishops; he sends his greetings and wishes harmonious work to the Holy Assembly of Bishops and entrusts his vote to His Holiness the Patriarch, in the event that new bishops would be elected or if there would be generally voting on any other subjects.

The Holy Assembly of Bishops decides:

The Act of His Grace the American-Canadian Bishop Dionisije be taken into acknowledgment."

That this excerpt from the designated Minutes is faithful to its original, is affirmed and certified by

January 29, 1969 Supreme Secretary
Belgrade (Seal) Holy Synod of Bishops
The Patriarchate S/ Mladen Mladenovich
Archpriest

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 41

HOLY SYNOD OF BISHOPS OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

EXCERPT

From the Minutes of the Holy Assembly of Bishops meeting for 1952.

In these Minutes in which it is recorded that the meeting was held May 16th (3), 1952, in the Patriarchal palace in Belgrade, on page 6, Holy Assembly No. 28, 42 and 54/minutes 8, this is recorded:

"Upon the President's call, the secretary reads

1. The letter of His Grace Bishop Nicholai of Zhica of May 4, 1952, in which he reports that for known reasons he cannot come to this regular session of the Holy Assembly of Bishops and that he entrusts his vote to the administrator of the Diocese of Zhica His Eminence Metropolitan of Skoplje Josif;

2. The letter of His Grace Bishop Irinej of Bachka, Diocese No. 266, of May 10th (April 27), 1952, by which he reports that because of ill health he cannot come to this regular session of the Holy Assembly of Bishops and that he entrusts his vote to His Grace Bishop of Ras-Prizren Vladimir, as his classmate at the Moscow Spiritual Academy; and

3. The letter from His Grace the American-Canadian Bishop Dionisije of April 30th, 1952, in which he reports that 'because of gall bladder illness' he cannot attend this regular session of the Holy Assembly of Bishops and that he entrusts his vote to His Holiness the Serbian Patriarch Vikentije.

Upon listening to the readings,

The Holy Assembly of Bishops takes into acknowledgement the contents of these three letters."

That this excerpt from the designated Minutes is faithful to its original, is affirmed and certified by

January 29, 1969 Supreme Secretary
Belgrade (SEAL) Holy Synod of Bishops
The Patriarchate S/Mladen Mladenovich
Archpriest

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 42

HOLY SYNOD OF BISHOPS OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

His Grace the American-Canadian Bishop Dionisije, by his Act of December 9, 1956, under Protocol Books of Acts No. 46, submitted to the Holy Synod of Bishops of the Serbian Orthodox Church in Belgrade and to His Holiness, the following:

"Your Holiness,

In loyalty towards my Patriarchate and Your Holiness we submit the enclosed regulations for review and approval, to wit:

By-laws of the Pension Fund of the clergy of this Diocese;

By-laws of the Serbian St. Sava Charity Home;

Regulations concerning the Diocesan Church-National assembly;

Regulations concerning the Diocesan Council;

Regulations concerning parochial and Sunday Schools:

Regulations concerning properties and funds;

Regulations concerning monasteries.

We submit this in accordance with article 12 of the Constitution of this Diocese, second paragraph, to the Holy Synod of Bishops for approval, information and review.

That which the Holy Synod of Bishops considers that should be approved, we pray it be approved, what it considers should be accepted for information, we pray it be accepted, and what needs to be only for review, let it be received.

The Church-National Assembly this year was very fruitful in its work, and the Ljoticev group attempted to strike a blow, but for now did not succeed.

We are sending a copy each of the By-laws of the Pension Fund and the Charity Home which the Holy Assembly of Bishops may keep in its archives, and the remaining regulations we are sending in duplicate with the request that a copy of each be returned to us with the eventual approval. This I have considered as necessary because and in order that nothing in the Constitution of this Diocese be changed without the knowledge and approval of the Holy Synod, for who knows what all may come later, so let it be known here among our people: that the Holy Synod of Bishops has approved the same or has taken them into favorable acknowledgment, so that every future change or amendment to the Constitution must again be submitted to the Holy Synod of Bishops for approval, that the 'rear not overtake the first' (wheels) in some self-serving later action. That is why I plead that this be legalized and approved, so that in the future everything be so legalized and approved in that order.

Faithful to Your Holiness
American-Canadian Serbian
S/ +Bishop Dionisije

PLAINTIFFS' EXHIBIT 43

HOLY BISHOPS' SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

EXCERPT

From the Minutes of Holy Bishops Assembly sessions, held on September 9 (August 27) 1958, at Patriarchal Palace in Belgrade, under No.ASNo.44/min.3, is registered as follows:

"Holy Bishops' Synod by its act No.2025/min.477, of July 15, 1958, is forwarding the report of His Grace American and Canadian Bishop Dionisije which informs that he cannot come to the sessions of the Holy Bishops' Assembly.

Holy Bishops' Assembly acknowledges report of His Grace American and Canadian Bishop Dionisije that he cannot attend this special Holy Bishops' Assembly".

That this excerpt from the mentioned Minutes is exact with its original, confirms and verifies,

January 29, 1969 — Supreme Secretary
Belgrade-Patriarchate — of the Holy Bishops Synod
Very Rev. Mladen Mladenovich
(Seal) (Signed)
(translator's certification omitted)

PLAINTIFFS' EXHIBIT 45

HOLY BISHOPS' SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969.
In Belgrade

His Grace American and Canadian Bishop Dionisije, by his act of May 5, 1953, has informed His Holiness Serbian Patriarch Vikentije that he could not come for sessions of the Holy Bishops' Assembly.

His Holiness Patriarch Vikentije, through the Holy Bishops' Synod forwarded this report of His Grace Bishop Dionisije to the Holy Bishops Assembly.

EXCERPT

From the Minutes of the Holy Bishops Assembly, held May 19 (May 6) 1953, in Patriarchal Palace in Belgrade, on page 10, under the number ASNo.37/min.8, is registered as follows:

"His Holiness Patriarch informs that he received from American and Canadian Bishop Dionisije report that he (Dionisije) cannot come and attend this Assembly sessions and his vote entrusts to His Holiness.

Holy Bishops' Assembly decides:

To acknowledge communication of His Grace American and Canadian Bishop Dionisije that he cannot come to the Assembly sessions, and that he entrusts his vote to His Holiness the Patriarch."

That this excerpt from above mentioned Minutes is exact with its original, confirms and verifies,

January 29, 1969 — Supreme Secretary
Belgrade-Patriarchate — of the Holy Bishops Synod,
(Seal) Very Rev. Mladen Mladenovich
(translator's certification omitted)

PLAINTIFFS' EXHIBIT 46

HOLY BISHOPS' ASSEMBLY OF THE
SERBIAN ORTHODOX CHURCH
ASNo. 44/min.59
June 7th, 1958,
In Belgrade

TO THE HOLY BISHOPS' SYNOD OF THE
Serbian Orthodox Church

Belgrade

The Holy Bishops' Assembly after studying of Rules of the Church-Peoples' Assembly and Rules of the Diocesan Council of the American-Canadian Diocese, under above number and date, made the following decision:

"On basis of Art.23, p.8, of the Constitution of the American-Canadian Diocese, the Holy Bishops' Assembly approves Rules of Diocesan Council of the American-Canadian Diocese proposed on the EIGHT Church-Peoples' Assembly of 18, 19 and 20th of September 1956.

As far as the Rules of Church-Peoples' Assembly is concerned, the Holy Bishops' Assembly approves articles 1, 2, 3, 4, 6, and 7, but does not approve proposed article 5, because it is contrary to the Article 105, of the Constitution of the Serbian Orthodox Church.

To caution His Grace Bishop of American-Canadian Diocese, Dionisije, that in the future will not approve decisions which propose that the same are in actual power before the competent authority approves it (see Article 25, p.8, of the Constitution of American-Canadian Diocese)."

Inform the Holy Episcopal Synod on this decision of the Holy Bishops' Assembly for its further competent action.

(Patriarchal seal)

PRESIDENT
of the Holy Bishops' Assembly
AEM and SERBIAN PATRIARCH
+ Vikentije

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 47

HOLY BISHOPS' SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

EXCERPT

From the Minutes of session of the Holy Bishops' Synod, held July 15th, 1958, in Belgrade.

In this Minute, on page 338, under No.2025/min.477, is registered as follows:

"Because of death of late Patriarch Vikentije, His Grace American and Canadian Bishop Dionisije, sends his act of July 8th, 1958, which says the following:

"Your Emminence Metropolitan and your Graces Brothers Bishops, members of the Holy Bishops' Synod,

We were deeply disturbed by the news of death of our Patriarch, blessed-resting Vikentije. We here immediately have sent the message to all our priests to serve a special memorial services and special liturgies with prayers for his martyred soul, martyred in service of our holy Church. We also have held memorial service for the Patriarch's soul.

Herewith we express our deep sympathy to the Holy Bishops' Synod for this irretrievable loss especially in these days, when every individual, every person, especially subjects of our Church and especially Bishop who is very indispensable. Let God accept his martyred soul into his heavenly kingdom.

At the same time I wish to inform the Holy Bishops' Synod that in election of a new Patriarch, which I wish and pray to God to be in most peaceful manner, in brotherly harmony and love, and my voice I entrust to His Emminence Metropolitan Nektary. Please, inform him of this.

I pray to God and St. Sava, that the ship of our holy martyred Church be led again to success and progress, to re-inforce its sailors and elect its Supreme Chief, a new Patriarch, a most worthy one, who will know how and be able to lead the ship of our Serbian Orthodox Church on its old well-known century old and Serbian paths.

I cordially greet the Holy Bishops' Synod and pray to God and St. Sava for success in your work with blessing of the Most High...

Loyal to the Holy Bishops Synod
Serbian American-Canadian Orthodox
+Bishop Dionisije."

After consideration, the Holy Bishops' Synod decides:

"To send the act of His Grace American-Canadian Bishop Dionisije of July 8, 1958, to the Holy Bishops' Assembly, in which he expresses his sympathy because of death of blessed-resting Patriarch Vikentije, and that the voice for election of Patriarch he entrusts to His Emminence Metropolitan of Dabro-Bosna, Nektary and inform him of this for his knowledge."

That this excerpt from mentioned Minutes is exact with its original, confirms and verifies,

Supreme Secretary
of the Holy Bishops Synod
(Seal) Very Rev. Mladen Mladenovich
(Signed)

January 29, 1969
Belgrade-Patriarchate

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 48

HOLY BISHOPS' SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

EXCERPT

From the minutes of the Holy Bishops' Assembly, held on June 9 (May 27) 1959, in the Patriarchal Palace in Belgrade.

On page 31, of this Minute, under ASNo.14/min.30, it is registered as follows:

"Holy Bishops' Synod by its act No.1419/min.242, of May 26th, 1959, forwards the act of His Grace American and Canadian Bishop Dionisije, No.28 of May 20, 1959, by which he informs that he cannot come to the sessions of the Holy Bishops' Assembly, and that he entrusts his vote to His Holiness Serbian Patriarch German.

On behalf of the Administrative-financial board the report was made by His Grace Bishop of Zvornik-Tuzla, Longin.

After consideration, the Holy Bishops' Assembly brings the following decision:

To acknowledge act of His Grace American and Canadian Bishop Dionisije, which informs that because of many works he cannot come to the sessions of the Holy Bishops' Assembly, and that he entrusts his vote to His Holiness Serbian Patriarch German, that he (the Patriarch) may vote on all questions except on the question of Macedonian church."

That this excerpt is exact with mentioned Minutes in its original, confirms and verifies,

January 29, 1969
Belgrade
Patriarchate

Supreme Secretary
of the Holy Bishops Synod
Very Rev. Mladen Mladenovich
(Seal) (Signed)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 49

SERBIAN EASTERN ORTHODOX DIOCESE
OF THE UNITED STATES OF AMERICA & CANADA
Serbian St. Sava Monastery
Libertyville, Illinois USA

6/9 April 1960

TO THE HOLY SYNOD OF BISHOPS
of the Serbian Orthodox Church
Belgrade, Yugoslavia

Your Holiness:

Enclosed we forward to you hereto attached THE BY-LAWS of the Association of Clergy of the Diocese entrusted to us for approval. We have reviewed these BY-LAWS; that is, we have taken part in their preparation and have approved them. Yet, if it is in accord with Article 69 of the Serbian Orthodox Church [inserted word illegible] that the same should be approved by the Holy Assembly of Bishops, rather, if it is in the spirit of the Constitution of our Diocese Paragraph 12, by the Holy Synod of Bishops I ask that the same be approved. The enclosed copy you may keep for the archives of the Holy Synod of Bishops.

Loyal to the Holy Synod of Bishops
In Fraternal Love,
Bishop Dionisije /s/

PLAINTIFFS' EXHIBIT 50

HOLY BISHOPS' SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

His Grace American-Canadian Bishop Dionisije, by his act No. 47, of April 30th, 1960, forwarded to the Holy Bishops' Assembly of the Serbian Orthodox Church in Belgrade, act of the following content:-

Your Holiness,

Your Eminences and Graces,

Dear Brothers in Christ, bless,

We received brotherly invitation of Your Holiness to attend the session of the Holy Bishops' Assembly and enthronation of Your Holiness into the Throne of Ipek's Patriarchs, but am very sorry that neither this time we cannot participate in brotherly work with you. We are very busy with work here and are unable to come. Let Your Holiness, if You wish, use our voice if there is any voting in the sessions.

Entrusted to us, God-saved Diocese, is progressing little by little, thank God. At present there are big preparations for creation of a new diocesan center on Pacific—in the Western America, as it was done in the Midwest, and as it was done by God's help in the Eastern America. There are several new parishes and churches built recently. We have developed special action for moral and religious youth education. Every parish, church congregation, has a Sunday and parish school. Today, during one week, around our churches in America, in attendance to our church services come between 3 to 4000 Serbian children and youth.

We continue with our Diocesan educational program and with printing of religious literature in both Serbian and English languages. In this Diocese there are 64 church congregations, two new ones in forming stage, with 62 churches. In America and Canada we have around 200,000 orthodox Serbs.

These days was formed Association of the Priests of the Serbian Orthodox American and Canadian Diocese. We approved and blessed their work and By-Laws, made in the spirit and teaching of the Holy Orthodox Church and especially Serbian Orthodox Church. Now this Assocation is preparing together with Diocese, bi-monthly publication.

Diocesan Executive Board, in its session a few days ago, has decided to greet warmly the Holy Bishops' Assembly and Your Holiness at the occasion of enthroning of Your Holiness in place of Ipek's Patriarchs which it does through us, as its Bishop. Let all-merciful Lord bless that Your Holiness live long on the holy throne of the holy Ipek's Patriarchs, successfully leading ship of our Serbian Orthodox Church with help and cooperation of all brothers our Bishops.

Long live to many years, Your Holiness' in Christ, Brother,

American-Canadian Bishop
Dionisije (Signed)

EXCERPT

From the minutes of session of the Holy Bishops' Assembly, held on June 9 (May 27) 1960, at Patriarchal Palace at Belgrade, and in connection of above mentioned act of His Grace Bishop Dionisije, it is registered on page 30, under ASNo.20/min.29, as follows:

"Holy Bishops' Synod by its act No.1591/min.228, of May 13, 1960, forwards to the Holy Bishops' Assembly report

of His Grace American and Canadian Bishop Dionisije, that he is unable to come and attend session of the Holy Bishops' Assembly.

On behalf of Administrative-financial Board this was reported by His Grace Bishop of Timok, Emilian.

After consideration, the Holy Bishops' Assembly made this decision:

To acknowledge report of His Grace American and Canadian Bishop Dionisije, that he is unable to come and take part in this yearly session of the Holy Bishops' Assembly, and that his voice he entrusted to His Holiness' Patriarch German."

That this excerpt from above mentioned Minutes are exact with its original, confirms and verifies

Supreme Secretary
of the Holy Bishops' Synod
Very Rev. Mladen Mladenovich (signed)

January 29, 1969
Belgrade—Patriarchate. (Seal)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 53

Holy Synod of Bishops
of the Serbian Orthodox Church
No. 1865
September 20, 1965
Belgrade

EXCERPT

From the official report of the Delegation of the Serbian Orthodox Church composed of His Eminence Damaskin, Metropolitan of Zagreb, and His Grace Nikanor, Bishop of Backa.

According to the decision of the Holy Assembly of Bishops AS No. 19 minutes 50 of June 12, 1962, and the Holy Synod of Bishops No. 1956 minutes 366 of June 29, 1962, they officially visited at that time Diocese for the U.S.A. and Canada and its then Bishop Dionisije Milivojevich. They arrived to the U.S.A. on September 13, 1962, and stayed there about three months.

Upon return to Belgrade His Eminence Metropolitan Damaskin and His Grace Nikanor, Bishop of Backa, submitted on January 24, 1963, under Secret No. 9 a report on this visit. Report, in addition to other things, contains under point b) discussion held by Delegation with former Bishop Dionisije on accusations which are lodged against him and which are before the Holy Synod of Bishops. That part of the report of the Delegation reads as follows:

"b) Finally we passed on complaints which are submitted to the Holy Synod of Bishops against him (Dionisije). It could be seen that His Grace The Bishop expected this matter as the most important and the main task of this Delegation.

It was a duty of Delegation to tell him that against him exist before the Holy Synod of Bishops from the past years many complaints, both in regard to his work and his way of personal life. It was pointed out to him that among those complaints there are some of such nature that the Holy Synod of Bishops could not overlook them easily."

Correction of this extract from the above mentioned report is certified

By the Chief Secretary of the
Holy Synod of Bishops
Mladen Mladenovich
Protopresbyter

PLAINTIFFS' EXHIBIT 54B

HOLY BISHOPS' SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

His Grace American and Canadian Bishop Dionisije, by his act Prot. number 180, of April 19, 1963, has forwarded to the Holy Bishops' Assembly the following:

"Holy Bishops' Assembly
of the Serbian Orthodox Church
Belgrade, Yugoslavia

Your Holiness, Your Eminences, Your Graces and Brothers,

Before anything else, I am hurrying to inform you that this time, too, I am unable to come to Belgrade, for attending-participating in work of the Holy Bishops' Assembly. I have some illness in my throat and am under physician's care.

In case of voting, I give my vote to His Eminence Metropolitan Nektary.

Please, inform me on the work of the Holy Bishops' Assembly.

Wishing you all the best and greeting all Brothers-Bishops headed by Your Holiness.

In Brotherly love, loyal to the Holy Bishops' Assembly, in the spirit of St. Sava,

Serbian Orthodox American and Canadian
+Bishop DIONISIJE (signed)

EXCERPT

From the Minutes of the Holy Bishops' Assembly, held on May 8, (April 25) 1963, at Patriarchal Palace in Belgrade, on this act of His Grace Bishop Dionisije, on page 50, under ASNo.29/min.45, is registered:

"Holy Bishops' Synod by its act No.1493/min.176, of April 23rd, forwards the report of His Grace American and Canadian Bishop Dionisije, that because of sickness he cannot come and participate in work of the Holy Bishops' Assembly, and that his vote entrusts, in case of voting, to His Eminence Metropolitan of Dabro-Bosnia, Nektary.

On behalf of the Administrative-financial board this is reported by His Grace Bishop of Zvornik-Tuzla, Longin.

After consideration, the Holy Bishops' Assembly decides:

Act of His Grace American and Canadian Bishop Dionisije, by which he informs that because of sickness cannot come to the sessions of the Holy Bishops' Assembly, is to be attached to his file."

That this excerpt from the mentioned Minutes is exact with its original, confirms and verifies,

Patriarchate

Supreme Secretary
of the Holy Bishops Synod,
Very Rev. Mladen Mladenovich
(Signed)

January 29, 1969
Belgrade (Seal)

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 55

HOLY BISHOPS' SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 2486
August 10, 1963.
In Belgrade

YOUR GRACE,

The Holy Bishops' Assembly in its session of July 27, 1963, under ASNo.48/min.2, has decided to direct to the

clergy and the people in the United States and Canada, a MESSAGE, which would explain latest decisions of the Holy Bishops' Assembly, relating to life of our Church there.

Carrying out the above decision of the Holy Bishops' Assembly, it is our duty to forward the enclosed Message praying that you, in the usual manner publish it to the faithful of your Diocese.

Enclosed: Message.

Your Grace's in Christ Brother,

For President,
of the Holy Bishops' Synod
member, Bishop of Zahum and
Hercegovina,
+Vladislav (Signed)

(Seal)

TO HIS GRACE MIDWEST AMERICAN BISHOP
DR. FIRMILIAN
MILWAUKEE.

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 55B

A MESSAGE OF THE HOLY BISHOPS' COUNCIL

THE HOLY BISHOPS' COUNCIL
OF THE SERBIAN ORTHODOX CHURCH

sends its blessings, its supplications for God's Grace, to all the reverend priests, the venerable monks, and to all the faithful sons and daughters of our Church in the United States and Canada, as well as to those throughout the world.

Dear Sons and Daughters of St. Sava's Church:

Although a distance of many miles may separate us, our heartfelt thoughts of you keep us close. As a mother worries much more when her children are not with her, we

fear more intensely for you who are so far away. Likewise, as a mother warns her children when they are in jeopardy, we too caution you to avert the dangers threatened by your former Bishop, Dionisije.

Our Holy Serbian Orthodox Church was founded by God and St. Sava to serve all her people. This she will continue to do regardless of the circumstances, whether they be good or bad—whether in times of happiness and freedom or of suffering and slavery. Never in her sacred service has she sought merely her own gain. Instead, her one goal has been to provide the greatest good for her spiritual children. The Church, rather than being a body separated from her people, is an essential organ, as essential as the heart itself. Therefore, blessings unto the people are blessings unto her; evils which the people suffer, the Church suffers as well.

The oneness of the Church and her people is clear upon recognition of the Church as a great, living, spiritual organism, in St. Paul's words, "Christ's body," the head of which is Christ the Lord Himself.* Man's body is a composite of organs working cooperatively for the good of that body. Similarly, the men of the Church work cooperatively for the good of the Church. Under God's decree apostles, priests, teachers, and helpers work together,** all of them under one head, Christ.*** Since the Holy Spirit resides in the Church and governs it through the Holy Bishops' Council, all Church members, regardless of their position, are obliged to submit to the decisions of the Council, the highest Church assembly. The Holy Bishops' Council functions in the name of the Lord. "He who hears you, hears Me, and he who rejects you, rejects Me, and he who rejects Me, rejects Him who sent Me," said the Lord Jesus to His Apostles (Luke 10:16); He further added, "Truly, I say unto you whatever you bind on earth shall be bound in Heaven, and whatever you loose on earth shall be loosed in Heaven" (Matthew 18:18).

---

* (Col. 1 24,; Ephes. 1, 22; 5, 23.)

** (I Cor. 12, 28.)

*** (Ephes. 5, 24—25.)

Dear spiritual children, for years we have received charges and complaints from both the United States and Canada against former Bishop Dionisije. These criticisms of his personal life and conduct were not anonymous; they were in fact, signed and documented. We strongly encouraged him to return to a righteous way of life. This was our duty as the guardians of the Church, bound by Evangelical Laws and Church Canons. Our efforts, however, were futile. In order to maintain the reputation of the Holy Church and its Divine Mission in the world, we were forced to take drastic action: we decided to suspend Bishop Dionisije from his duties and to make him subject to the rulings of the Canonical Court. But Bishop Dionisije chose not to obey the Church's highest authority, the Holy Bishops' Council, thus breaking a vow which he solemnly gave at the time of his consecration as Bishop.

Since former Bishop Dionisije added disobedience of the highest Church body to his many canonical offenses, the Holy Bishops' Council was forced to depose him. Archimandrite Firmilian Ocokolich, well known to all of you, was appointed his successor. Also, in the interest of more efficient administration, two additional Dioceses were created: The Middle Eastern and Canadian to be headed by the Very Reverend Stefan Lastavica priest at Windsor, Ontario, Canada; and the Western American under Archimandrite Gregory Udicki, professor and priest at Young-

wood, Pennsylvania. All that was done in accordance with Article 16 of the Constitution of the Serbian Orthodox Church and Article 2 of the Constitution of the Serbian Orthodox Diocese of the United States and Canada.

Ever since his deposition former Bishop Dionisije has been trying to mislead you. We appeal to you: do not let yourself be deceived; distinguish the good from the evil. Do not let yourself be severed from the body of Christ's Church; for he who is separated from the body, like an amputated limb or a broken branch, perishes spiritually, withers.

He who forsakes his Church abandons God and His Grace. He who forsakes his Church abandons God's angels and saints, led by the Holy Mother of God. He abandons St. Sava, St. Lazar, and all the Serbian saints and martyrs. He who forsakes his Church will know the curse of God, St. Sava, and all the Serbian saints before God's throne.

Brothers and Sisters, our spiritual children, again we emphasize: distinguish the good from the bad, the right road from the wrong. Support your legal Bishops and with them support your Holy Church. Preserve unity with our Mother Church in order that you may continue to know the blessings of God and St. Sava. May the Grace and Peace of God, of our Saviour Jesus Christ, and of the Serbian Orthodox Church be with you.

Belgrade, July 27, 1963.
AS No. 48/com. 2.

Archbishop of Pec
Metropolitan of Beograd - Karlovci and
SERBIAN PATRIARCH
GERMAN

Metropolitan of Zagreb DAMASKIN; Metropolitan of Budim ARSENIJE; Metropolitan of Dabro - Bosna

NEKTARIJE; Metropolitan of Crna Gora and Primorje DANILO; Bishop of Timok EMILIJAN; Bishop of Nis JOVAN; Bishop of Sumadija VALERIJAN; Bishop of Srem MAKARIJE; Bishop of Backa NIKANOR; Bishop of Zica VASILIJE; Bishop of Branicevo HRIZOSTOM; Bishop of Banat VISARION; Bishop of Slavonia EMILIJAN; Bishop of Zvornik - Tuzla LONGIN; Bishop of Gornji Karlovci SIMEON; Bishop of Zahumlje - Hercegovina VLADISLAV; Bishop of Raska - Prizren PAVLE; Bishop of Banja Luka ANDREJ; Bishop of Dalmatia STEFAN; Bishop of Sabac - Valjevo JOVAN; Bishop of the Eastern USA and Canada STEFAN.

PLAINTIFFS' EXHIBIT 56

HOLY BISHOPS' SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 331
January 29, 1969
In Belgrade

His Grace Bishop of the American-Canadian Diocese, Dionisije, by his letter No. 123 of May 23, 1962, sent to the Holy Bishops' Synod of the following content:

Your Holiness,
Dear Brothers Bishops,
members of the Holy Synod,
Bless!

We received communication of the Holy Synod No. 1411/min.154, of May 9th, of this year, for which I have signed postal receipt.

Also we confirm the receipt of communication No.1323/min.214, of April 20th, of this year, by which you are inviting me, as member of the Holy Bishops' Assembly for this yearly session.

We are very sorry to inform you that this year too, we cannot comply and do my duty because of many diocesan works, especially because of organizing our new diocesan center in California, which is to be opened in June, God willing. Considering this as well as many other diocesan engagements, our Diocesan Executive Board has decided and asked us not to leave Diocese, in other words not be away from the Diocese.

Enclosed is verified copy of this decision of the Executive Diocesan Board.

To all brothers Bishops, members of the Holy Bishops' Assembly, I am sending our cordial greetings, remaining always in canonical unity with my Church of St. Sava, and wishing harmonious brotherly and fruitful work for the good of our Holy Church and our Serbian people.

Necessary reports as of the status of Diocese entrusted to me, I am sending in a special mailing.

Wishing to Your Holiness everything good of God, as well as to all Bishops, members of the Holy Bishops' Assembly and Synod, I am greeting Your Holiness as our Brother in Christ,

American-Canadian Bishop,
+Dionisije (signed)

The Holy Bishops' Synod by its letter No.1709/min.307, of June 1st, 1962, has sent to the Holy Bishop's Assembly the letter of His Grace Bishop Dionisije.

EXCERPT

from the minutes of session of the Holy Bishops' Assembly regarding this matter.

In the minutes of Holy Bishops' Assembly, held on June 9, (May 27) 1962 in the Patriarchal Palace in Belgrade, on page 30, under AS No.17/min. 24, it is registered as follows:

"Holy Bishops' Synod, by its letter of June 1st, 1962, sends report of His Grace American and Canadian Bishop Dionisije, that he is not able to respond to the invitation and take part on this yearly session of the Holy Bishops' Assembly.

On behalf of the Administrative-financial board, report was made by His Grace Bishop of Banat, Visarion.

After consideration, the Holy Bishops' Assembly made the following decision:

To acknowledge report of His Grace American-Canadian Bishop Dionisije, by which he reports that because of engagements cannot attend this yearly session of the Holy Bishops' Assembly."

PLAINTIFFS' EXHIBIT 57

Holy Synod of the
Serbian Orthodox Church
No. 331
January 29, 1969
In Belgrade

His Grace the American-Canadian Bishop Dionisije, by his act Protocol Book of Acts No. 125 of May 25th, 1962, submitted to the Holy Assembly of Bishops of the Serbian Orthodox Church in Belgrade, an Act of the following content:

"The Holy Assembly of Bishops of the
Serbian Orthodox Church
Belgrade, Yugoslavia

Your Holiness,
Beloved brother Metropolitans and Bishops,
Members of the Holy Assembly of Bishops,
Bestow blessings!

We have the honor to submit the following report on the state of the Diocese entrusted to us to this Annual Session of the Holy Assembly of Bishops:

The number of faithful in this Diocese is about 250,000. Its expanse is from the North pole (Alaska, Canada) to the Caribbean sea where are included the dominions of this country Puerto Rico and others, Mexico, and then westward including Hawaii and American dominions in the far East. Who doesn't know, would think that it is easy to be a bishop on such vast territory, but believe that it is a litte more difficult than as it is thought. For example, I have to consecrate a new Church in the state of Saskatchewan, Canada on June 17th. It is more than 3,000 kilometers from here! I have not yet succeeded in going to Alaska, but it is necessary!

There are 78 Church-School Congregations in this Diocese scattered over this entire territory. I have 78 priests and 3 deacons. There are 60 Holy Temples (Churches).

In the past year five new Church-School Congregations were founded and 5 new churches were erected.

In every Church-school congregation there is a singing society, there is a Sunday School, and at many there is also a parochial school. There are about 10,000 children every Sunday in our holy churches and in the schools in our Church-school congregations.

Our Diocese is divided into 4 episcopal districts: the Mid-Western, Eastern, Western and Canadian.

Affiliated with the Diocese as an auxiliary organization is the Federation of Circles of Serbian Sisters, to whom is entrusted care for maintaining the summer children's camps and the teachers' courses for the teachers of our schools. Up to now there are 72 of our women's organizations enrolled in membership in this Federation, while through our

children's summer camps in our 3 centers, passed about 1,200 Serbian children last year.

This year we are undertaking measures for better organizing the Canadian part of our Diocese.

Last year with God's help we succeeded in creating a new center for the far west—for California. In Jackson, where the first Serbian Church was built on this continent, about 70 acres of land was purchased on which is now being built buildings for the children's summer camp and others. This property cost about 110,000 dollars, and the Serbs from the West are investing over half a million dollars.

God willing, this year will begin the building of a holy Church on Shadeland. Enclosed is our report from our last Church-National Assembly, as also the proposed budget for 1962, from which can be seen the financial condition of our Diocese itself.

Trusting that this brief report will be satisfactory, I remain Faithful to the Assembly and Your Holiness' brother in Christ,

American-Canadian bishop
S/ +Dionisije

EXCERPT

from the Minutes of the meeting of the Holy Assembly of Bishops held on June 14 (1), 1962, in the Patriarchal palace in Belgrade, concerning the above Act of His Grace Bishop Dionisije, on page 67, under Holy Assembly No. 18/min. 69, this is recorded:

"The Holy Synod of Bishops by act No. 1711 of June 1, 1962, forwards the report of His Grace the American-Canadian Bishop Dionisije on the state of the Diocese entrusted to him.

In behalf of the Committee on reports His Grace Bishop Emilijan of Slavonia reports.

Upon consideration the Holy Assembly of Bishops decides:

That the report of His Grace the American-Canadian Bishop Dionisije on the state of and on his work in the Diocese entrusted to him, be taken into acknowledgment."

That this excerpt from the designated minutes is faithful to its original, is affirmed and certified by

January 29, 1969
Belgrade
The Patriarchate (Seal)

Supreme Secretary
Holy Synod of Bishops
S/ Mladen Mladenovich
Archpriest

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 58

SERBIAN EASTERN ORTHODOX DIOCESE
For the United States of America and Canada
Serbian St. Sava Monastery
Libertyville, Illinois
U.S.A

May 25, 1962
D.Prot. No. 127

Your Holiness,
Dear Brethren
Metropolitans and Bishops
Members of the Holy Assembly of Bishops
Give Blessing:

Because it was impossible for us for the reason of many Diocesan business to personally take part in this year's session of the Holy Assembly of Bishops, so in this manner, we greet your Holiness as well as all of the brethren Bishops, with prayers to God for a successful work and wise direction of the ship of the Serbian Orthodox Church.

Wishing you, brethren Bishops, every good from God we consider as necessary on this occasion to make to the Assembly a few proposals, God-willing. Namely, we propose:

A. That this Diocese because of its importance, size and vastness, be elevated to the rank of Metropolia, as it was proposed by our Church National Conventions, that a decision should be made regarding the election of at least 2 or 3 Suffragan Bishops according to the Greek type in regard to what we have been proposing to the Holy Assembly in its time. As to how the Metropolitan himself and his Suffragan Bishops should be elected, that should be left for the later decisions in the spirit of the needs of this emigration and with the deliberation with it. In regard to the person of Metropolitan and his Suffragan Bishops that as well should be decided later. We personally do not claim the title of Metropolitan but rather we leave to be decided according to the principle: "It pleased the Holy Spirit and yourself, as well as these people." Here we make proposals for the basic decisions.

B. That to this diocese, God-willing, future Metropolia, by arrondissement be added South America and South Africa. We can no more administer that territory, because in our action our hands are bound, and we cannot carry out the necessary organization of the same without accord with him who has entrusted to us that administration. But here can arise the difference of opinions; Because of that, the administration of these territories I return back to his

Holiness, Sir Patriarch. We do not think that it is necessary to argue about the need, that at least on this continent all Serbs should be united in one church unit—Metropolia or Diocese.

Once more, we wish to assure Holy Assembly of Bishops that here this is not about future splitting and cessation from the Holy Serbian Orthodox Church, because at least as long as we are the Bishop of this Diocese that shall not be, neither will it happen. We hope, providing that Holy Assembly of Bishops accepts our proposals, that split even after us will be avoided by compromise solutions, which will satisfy both the needs of the Church and the wishes of these people as well. But you, brethren, act as God teaches you and what you consider to be the best, but we have said and have written what we consider to be the best.

Wishing to all brethren Bishops every good from God and cordially greeting all.

Your brother in Christ.

American-Canadian
Bishop Dionisy

Holy Assembly of Bishops
of the Serbian Orthodox Church
Belgrade, Yugoslavia

PLAINTIFFS' EXHIBIT 59

HOLY BISHOPS' SYNOD
OF SERBIAN ORTHODOX CHURCH
No.2771/min.371
September 3, 1963.
Belgrade

YOUR GRACE

Presidentship of the so-called "Church-Peoples' Assembly," held in Libertyville on 6, 7, and 8th of August of this year, with their letter of August 10, 1963, has sent to His Holiness the Patriarch Serbian German, a copy of the Resolution of that Assembly.

Regarding this, Holy Episcopal Synod, in its session under the above number and date, has made this decision:

"In connection of held so-called 'Church-Peoples' Assembly,' in Libertyville, Illinois, USA, on the 6th, 7th and 8th day of August 1963, Holy Episcopal Synod finds it completely unlawful because of the following:

1. That in session of 'Assembly' did not take participation: All Serbian Orthodox clergy, monks and priests, as prescribed by Paragraph 16, point 2, of the Constitution of the Serbian Orthodox Diocese for the United States of America and Canada, but only few of them;

2. That in session of 'Assembly' took part as a Diocesan bishop (Paragraph 16, point 3, of the same Constitution) His Grace Bishop Dionisije, although he did not have a right to, for he was under suspension and out of Diocese by the decision of the Holy Bishops' (Council) Assembly ASNo.42/min.2, of 1963;

3. That the 'Assembly' was opened and presided over by His Grace Bishop Dionisije, in the sense of paragraph 22, of the same Constitution, although he did not have right to it, for the same reasons mentioned in point 2; and

4. That 'Assembly' was not convened nor held in time as prescribed in the paragraph 20 of the same Constitution.

Because of all these, Holy Episcopal Synod considers all decisions, mentioned in the Resolution by this so-called 'Church-Peoples' Assembly' in Libertyville unlawful, unconstitutional and of no value."

In the sense of Holy Episcopal Synod's decisions under above number and date, has an honor to inform you for your own knowledge.

Your's Grace in Christ brother,

For President
of the Holy Bishops' Synod
member, Bishop of Timok
+Emilian

HIS GRACE FIRMILIAN, BISHOP OF THE
MIDWEST SERBIAN ORTHODOX DIOCESE,
MILWAUKEE, Wis.

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 61

HOLY SYNOD OF BISHOPS
OF THE SERBIAN ORTHODOX CHURCH
No. 1154/minutes 300
May 20, 1955
Belgrade

Your Grace:

Holy Synod of Bishops in its meeting under the above number and date has decided:

"According to article 117 of the Constitution of the Serbian Orthodox Church to take notice of the report of His Grace American Canadian Bishop Dionisije No. 12 of May 14, 1955, that He appointed Archimandrite Dr. Firmilian Ocokoljich, member of the Ecclesiastical Court and Director of the Diocesan Property at Shadeland, as His Episcopal Deputy."

Of the above decision the Holy Synod of Bishops has the honor to inform you for Your information.

For the President
of the Holy Synod of Bishops
member, Bishop of Budimlje-Polimlje
Makarije

(seal)

His Grace
American Canadian Bishop Dionisije
Libertyville, Illinois

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 67

THE PATRIARCHATE OF MOSCOW
HOLY SYNOD OF THE RUSSIAN ORTHODOX CHURCH
DEPARTMENT FOR EXTERNAL CHURCH RELATIONS
MOSCOW
No. 1259

July 13, 1966

HIS HOLINESS, THE MOST HOLY GERMAN
Archbishop of Pech, Metropolitan of Belgrade-Karlovci
and Serbian Patriarch
YOUR HOLINESS,

With the greatest respect we inform Your Holiness, that His Holiness the Patriarch of Moscow and all Russia Alexei received a lengthy epistle from the former bishop of America-Canada, Australia and Europe Dionisije, dated March 31 of this year. In the mentioned epistle he complains about the decision of Your Holiness and the Holy Assembly of Bishops of the Serbian Orthodox Church concerning the division of the American-Canadian diocese into several dioceses without his consent, and expresses a strong protest against his removal from the duties of governing the dio-

cese and of his defrocking. Not only does he plead, but he even demands of the Most Holy Patriarch Alexei intervention and mixing in the above mentioned matter.

Enclosed we forward with greatest respect to Your Holiness a copy of the letter-reply, which with the blessings of the Most Holiness Patriarch Alexei, His Grace Bishop of Zaraj Juvenal—the deputy to the president of the department of external church relations of the Moscow Patriarchate, sent to the former American-Canadian bishop Dionisije.

I beseech the prayers of Your Holiness, with love in Christ our Saviour,

President of the Department
of External Church Affairs of the
Moscow Patriarchate
S/ Metropolitan Nikodim

PLAINTIFFS' EXHIBIT 67a

No. 1266 July 13, 1966

The Most Holy Patriarch of Moscow and all Russian Alexei read your epistle, which contains a complaint against the work of His Holiness Patriarch German and the Holy Assembly of Bishops of the Serbian Orthodox Church.

We consider it our duty to inform you that the question of the division of the American-Canadian diocese, which belongs under the jurisdiction of the Serbian Orthodox Church, into several dioceses, the determining of their boundaries, as also the question of renewed consideration of the decisions of the Holy Assembly of Bishops concerning you—are internal matters of the Serbian Orthodox Church. Therefore, in accordance with the holy canons of the Church, we have nothing to undertake in this concrete situation.

Accept expressions of our feelings of Christ's love.

Deputy to the President
Department of External Relations of
the Moscow Patriarchate
BISHOP OF ZARAJ JUVENAL

PLAINTIFFS' EXHIBIT 67g

SERBIAN EASTERN ORTHODOX DIOCESE
For the United States of America
and Canada
Serbian St. Sava Monastery
Libertyville, Ill.
U.S.A.

Register Number 280
March 2, 1966

THE ALL-RUSSIAN PATRIARCH, HIS HOLINESS
ALEKSEI
MOSCOW, U.S.S.R

YOUR HOLINESS,

INTRODUCTION

At the time when the RUSSIAN PATRIARCHATE WAS RE-ESTABLISHED in 1943, I as free Serbian Orthodox Bishop in America GREETED the restoration of the All-Russian Patriarchate, and up to the present day I have never attacked either Your Holiness as Patriarch, nor the All-Russian Patriarchate.

At the first conference held at Rhodes You had my recommendation, which was constructive, and Your delegation adopted it, but was not pleasing to the Greeks. Today You have a bad situation in France, in Paris, where Archbishop Georgije has proclaimed himself autocephalous. We have not as yet come into contact with him nor have We established cooperation with him.

Here in America We had relations with the American Russian Orthodox Church headed by Metropolitan Leonty, but We did not have cooperation with the Russian Synod in Exile, and even today We do not have relations with them. But that Russian Synod in Exile today does cooperate with Serbian Patriarchate in Yugoslavia through their here imposed, against the people's will, three bishops. Leonty's Russian Church, which is headed now by Metropolitan Irinei, also maintains cooperation with them.

Your Holiness, We have made this introduction, that You may know where We stand.

Today our Serbian Orthodox American-Canadian Diocese has two other auxiliary dioceses—in Australia, and in Europe, with 106 parishes and Church Congregations.

COMPLAINT AGAINST PATRIARCH GERMAN

As Bishop of the autonomous Serbian Orthodox American-Canadian Diocese, I submit TO YOUR HOLY THRONE A COMPLAINT AGAINST THE SERBIAN-MACEDONIAN PATRIARCH GERMAN AND HIS HOLY ASSEMBLY OF BISHOPS, and humbly plead for Your exalted intervention and protection, for I am seeking legal and canonical justice which Patriarch German and his Holy Assembly of Bishops did not apply, but TRAMPLED upon.

On the basis of the 9th canon of the IV Ecumenical Council, I have turned to the Ecumenical Patriarch, Athenagoras, but he didn't respect that holy canon, and did not show himself to be a protector of the holy canons of the Orthodox Church, and turned a deaf ear to my petition and did not take it into consideration, but rather confirmed the decisions of the Patriarch German and his Holy Assembly of Bishops concerning the division of our Diocese and of my being defrocked, which was done completely unlawfully and uncanonically. In order to prove that I was

not guilty, I have printed a book in the English language which I enclose: TRANSGRESSIONS OF PATRIARCH GERMAN AGAINST THE HOLY CANONS AND CHURCH LAWS. In this book are included documents in the original, translated into English, which show how Patriarch German violated church and civil laws in my case, and in the case of our Diocese. And our Diocese is still always a lawful organization before the American and Canadian state authorities.

I accuse Patriarch German for creating a schism in the Serbian Orthodox Church, in Yugoslavia and outside the same, and because without agreement he unlawfully dissolved our Diocese, divided the territory of America and Canada into three parts, and appointed three new Bishops of whom the people have exclaimed UNWORTHY. He also dissolved the holy PATRIARCHAL COUNCIL, which has the right and duty to cooperate with the Holy Assembly of Bishops in the creation of new Dioceses, only in order to be able to carry out this change. This diocese has and has had its own separate CONSTITUTION by which it was and is governed up to present day. According to that Constitution Patriarch German did not have the right to change anything whatever without our Diocesan Church-People's Assembly, but German announced that our Church-People's Assembly was illegal and void! Nine Church-People's Assemblies were held in this Diocese until now, and all were legal. When our X Diocesan Church-People's Assembly was held in two sessions, in August and November of 1963, the Assembly postponed its session of August for two months and sought that Patriarch German and the Holy Assembly of Bishops in Belgrade change and withdraw their decisions, and when this was not done, at the new session of the Assembly in the month of November

THE PEOPLE PROCLAIMED THIS DIOCESE TO BE COMPLETELY AUTONOMOUS AND HAVE CUT ALL FURTHER CANONICAL TIES WITH PATRIARCH GERMAN, except the spiritual, and our congregations, and *our priest* DO NOT MENTION HIM ANY LONGER AT DIVINE SERVICES! The blame for this belongs to the Serbian Macedonian Patriarch and his narrow-minded Holy Assembly of Bishops.

This Diocese at first was under the jurisdiction of the Russian Orthodox Church. In 1913 the clergy and people of this Diocese decided to seek the refuge and protection of the Serbian Orthodox Church in the Kingdom of Serbia. In 1917 the Russian Archbishop Evdokim, who governed here, announced his DECREE by which the SERBIAN ORTHODOX DIOCESE IN AMERICA AND CANADA was created. The same year the Holy Synod of the Russian Orthodox Church of Moscow sent Archimandrite MARDARY here to govern the affairs of the Serbian Diocese in America and Canada.

Again after I World War, Serbian clergy and congregations sought to be placed under the spiritual authority of the Serbian Orthodox Patriarchate, which was then re-established and united. Thus, upon the request of these people and clergy, that Serbian Diocese which was under Russian jurisdiction, was transferred to the jurisdiction of the Serbian Orthodox Church, the first Bishop was appointed, Dr. Nikolai Velimirovich, and later Archimandrite Mardary himself was consecrated in Belgrade with the title of American-Canadian Serbian Bishop.

This Diocese immediately created its autonomous Constitution, which was with a few changes approved in Belgrade, and was and is in effect until 1939, when it was amended a little, then approved in Belgrade, and is in effect up to the present day.

Paragraph 3 of the Diocesan Constitution states: "*The jurisdiction of the Serbian Orthodox American-Canadian Diocese with its see in Chicago, i.e. in Libertyville, includes the whole political territory of the United States of America and Canada, and has complete administrative freedom, and therefore autonomously, in the spirit of this* CONSTITUTION *and in agreement with the laws of America and Canada, governs all of its affairs of the Church, schools, diocesan institutions' funds and properties.*" Accordingly, the Holy Assembly of Bishops and Patriarch German did not have any right to meddle in the affairs of this Diocese, neither to divide the same, nor to appoint for the same any kind of new Bishops. By this, Patriarch German with his Assembly of Bishops violated the 8th canon of the III Ecumenical Council, which states: "... *And therefore this and ecumenical Council establishes that for every particular Diocese there be preserved pure and inviolate rights, which from the very beginning and from long ago it enjoyed, in accordance with custom established of ancient times. . . .*

And if anyone suggest any new solution which is contrary to this which is established, the entire holy ecumenical Council orders that such solution be without any legal power (validity)." The Serbian Orthodox American-Canadian Diocese exists back from 1917, which means it existed 47 years at the time when the decisions of the Holy Assembly of Bishops in Belgrade were made, and this Diocese had not collapsed but it grew and developed. It progressed also in number of faithful, in the number of churches and in its diocesan properties, and therefore not a single reason existed for it to be dissolved and divided. For this reason the Diocesan Church-People's Assembly rejected the decisions of the Holy Assembly of Bishops, because

these people, who have created this Diocese, are defending their rights!

The Holy Assembly of Bishops in Belgrade with Patriarch German at the head trampled all the rights of these people who have created this Diocese, and they have trampled upon our Diocesan Constitution WHICH PROVIDES IN ITS PARAGRAPH 23, THAT ALL CHANGES AND AMENDMENTS OF THE CONSTITUTION ARE FIRST BROUGHT BY OUR DIOCESAN CHURCH-PEOPLE'S ASSEMBLY AND THEN THE SAME TO BE SENT TO THE HOLY ASSEMBLY OF BISHOPS FOR APPROVAL, that is, for various remarks. Neither by their own Constitution of the Patriarchate, nor by our Diocesan Constitution, did the Holy Assembly of Bishops alone have the right to change the Constitution, to create three Dioceses, to dissolve this legally one Serbian Orthodox American-Canadian Diocese. It is clear, that the Holy Assembly of Bishops in Belgrade violated their own Constitution of the Patriarchate and the Constitution of this Diocese, and the LAWS OF THE STATES OF AMERICA AND CANADA with whose authorities this Diocese is registered and exists as a legal religious organization, which has its own legally elected committees, bodies, and DIOCESAN COUNCIL, which represents this Diocese.

COMPLAINT AGAINST MY SUSPENSION AND DEFROCKING

The Holy Assembly of Bishops in Belgrade issued its decision under number 1664/188 of May 10, 1963, by which it placed me as Bishop under sacerdotal suspension and appoints a special commission to investigate all accusations against me. The Holy Synod forwarded this act to me on June 10, 1963, under its number 1986/265. This Commission which had to come to America, did not give to me

any kind or type of accusation so that I could reply to the same. I demanded on the basis of Church and civil laws that the mentioned accusations be first of all given to me in notarized copy so I could see them, study them and reply to the same. The commission concerned was still in America; it still did not complete its work, when I received from the Holy Synod of Bishops, under number 2401/354 of July 29, 1963, the decision of the Holy Assembly of Bishops of Belgrade: THAT I AM RELIEVED OF MY DUTIES OF GOVERNING THE DIOCESE! Until then I have neither replied to anything, nor have I seen the accusations at all, and the Holy Assembly of Bishops and Synod punish me by depriving me of a Diocese! I did not recognize that deposing nor did the people here recognize it nor did the majority of our church congregations and priests. According to the laws of the Serbian Orthodox Church, not to mention state laws and the holy canons, NO ONE CAN BE PUNISHED BY ANY PUNISHMENT WITHOUT PRIOR HEARING, without his prior reply! They have punished me by taking away my Diocese without hearing me and without my reply to the various accusations and pamphlets. This has caused great confusion among our people and in our Diocese.

Finally on October 18th, 1963, under number 3215/509, the Holy Synod of Bishops did send me the indictment, but again without a single addition to the accusation which various irresponsible persons have submitted against me, and have even taken into account unsigned submissions and anonymous leaflets against me! They left me a very short period of time for a reply—only 30 days, citing as a basis for this the 19th canon of the Council of Carthage. Since I was still hopeful of justice from Patriarch German and his Holy Assembly of Bishops, and I personally did not

want to cut ties with my Serbian Orthodox Church, I have ACKNOWLEDGED RECEIPT OF THIS ACT AND ASKED FOR A PERIOD OF TIME OF SIX MONTHS FOR MY REPLY, AND ALSO, THAT THEY SEND ME A NOTARIZED TRANSCRIPT OF ALL ACCUSATIONS AGAINST ME on the basis of our church laws, articles 67 and 81, which specifically provide that the accused must know who is accusing him, why he is accusing him, and that he must have transcripts of the mentioned accusations. I have authorized three priests in Belgrade to go to the Synod and copy all the accusations, that the Synod notarize them and send them to me.

The Holy Synod of Bishops was deafened to my rights, trampled upon that right of mine, and by its act under number 3676/647 of December 10th, 1963, informed me: THAT TRANSCRIPT OF THE ACCUSATIONS AND PAMPHLETS CANNOT BE SENT TO ME, THAT THEY GIVE ME ONLY ONE ADDITIONAL MONTH TO REPLY TO THE ACCUSATION. AND, WHAT IS WORSE OF ALL, THAT AGAINST THIS DECISION I HAVE NO APPEAL! Seeing that I could expect no kind of justice, nor any kind of legal procedure as provided for in our church laws and holy canons of our Orthodox Church, I RETURNED, WITH MY LETTER OF JANUARY 13th, 1964, THE MENTIONED ACCUSATION TO THE HOLY SYNOD WITH REMARKS CONCERNING THE HOLY CANONS WHICH WERE VIOLATED AND WHICH CHURCH LAWS THEY HAVE TRAMPLED. Since all my rights, both as a Bishop and as a man were trampled by the Holy Synod of Bishops, headed by the schismatic Patriarch German, I had nothing to reply neither to expect any justice. On March 27th, 1964, the Holy Assembly of

Bishops again met in Belgrade, at which time the decision was rendered: THAT BISHOP DIONISIJE BE DEFROCKED.

This completed that dreadful unjustice against which I am appealing and accusing Patriarch German and his Holy Assembly of Bishops.

Patriarch German and his Holy Assembly of Bishops VIOLATED ARTICLE 111 OF THE CONSTITUTION OF THE SERBIAN PATRIARCHATE, which states: "The Holy Assembly of Bishops can remove a Diocesan Bishop from a diocese only upon canonical judgment, or relieve him upon proven disability, or if it be established that one of the conditions of article 104 ceases to be met, and upon justified request for retirement." However, I did not violate a single condition as specified in article 104! I have not been canonically judged at all, since I was not allowed to defend myself and bring forth my witnesses.

Patriarch German and the Holy Assembly of Bishops in Belgrade violated and trampled the 6th canon of the SECOND ECUMENICAL COUNCIL which says, that all accusations need be first of all investigated, that the accusers sign them and be sworn, and that they accept upon themselves the same punishment, if their accusations be false, that they are recommending for the accused Bishop. The accusers must publicly appear in court with their witnesses. That the accused Bishop also appear in court with his witnesses. None of this took place, nor was that procedure followed at all. They have violated and trampled the 74th Apostolic Rule, and the 19th, 50th, and 53rd canons of the Council of Carthage and many other canons and rules of the holy Church and in the first place, they have ignored the words of Christ from the Holy Gospel, when they were smiting Him, and He said: "IF I HAVE SPOKEN EVIL SHOW THEN THE EVIL, AND IF I HAVE

SPOKEN WELL, WHY DO YOU SMITE ME." I am judged on the basis of unproven accusations by various intriguers and by my enemies.

I PLEAD AND DEMAND FROM YOUR HOLINESS, since the Patriarch of Constantinople refused to apply the 9th canon of the holy IV Ecumenical Council, I AM TURNING TO YOUR HOLINESS IN THE INTEREST OF THE HOLY ORTHODOX CHURCH, that You order that an investigation be made here in America and I SUBMIT TO YOUR DECISIONS, WHEN EVERYTHING IS INVESTIGATED AND CONFIRMED!

I HEREBY DECLARE: THAT I RECOGNIZE YOUR HOLINESS AS PATRIARCH OF ALL-RUSSIA AND MOSCOW! I PLEAD WITH YOU—HELP US!

With me there are nearly 200,000 Serbs scattered in the whole world. No one will be against Your Holiness if you extend to us Your merciful hand. We could not come under Your jurisdiction, but plead for help, for cooperation and support, and We will make an agreement with Your Exarch in America as to how to cooperate and be in brotherly love. To Your Holiness's Exarch I am sending a copy of this complaint!

Kissing the holy right hand of Your Holiness,
Serbian Orthodox American-Canadian, Australian and European,

BISHOP DIONISIJE (Signature)

(Seal)

PLAINTIFFS' EXHIBIT 67H

The Patriarchate of Moscow
The Holy Synod
of Russian Orthodox Church
Department of Foreign Church Affairs
Moscow 34, str. Ryleev 18/2
Number 1266

July 13, 1966

The Most Holy Patriarch of Moscow and all Russia, Alexey, read Your letter consisting of the complaint against action of His Holiness Patriarch German and the Holy Bishops' Council of the Serbian Orthodox Church.

We are considering as our duty to notify You, that question of division of American and Canadian Diocese, being in jurisdiction of the Serbian Orthodox Church, to several Dioceses, and decision of their borders, as well as the question of reformation of the decision of the Holy Bishops' Council in Belgrade in regard to You, is an internal affair of the Serbian Orthodox Church. On the basis of that, in accordance with the holy canons of Church, we do not have any right to undertake anything in this matter.

Accept expression of our feeling of Christ's love

The substitute of the president
of the department of Foreign Affairs of church
of Patriarchate of Moscow
Bishop of Zarjsky YOUVENALIY

Par avion-Registered
The Right Rev. Bishop Dionisije
Serbian Eastern Orthodox Diocese
Serbian St. Sava Monastery
Libertyville, Illinois, U.S.A.

Patriarchate of Moscow
Department of Foreign Church Affairs
Moscow G-34 Str. of Ryleev 18/2
Moscow 34, U.R.S.S.

PLAINTIFF'S EXHIBIT 68
THE CONSTITUTION
OF THE
SERBIAN ORTHODOX CHURCH
SECOND EDITION
OF THE
HOLY SYNOD OF BISHOPS
BELGRADE 1957

Translated by: Very Rev. Velimir P. Kovacevich
and
Vladimir Lugonja

The Constitution of the Serbian Orthodox Church was for the first time publicly announced in the "Glasnik", the official journal of the Serbian Orthodox Church No. 7-8 of August, (July 19) 1947.
Printing Press
Sava Mikich—Zenum
Syn. No. 1899/Min. 520
12-VI/30-V-1947

THE CONSTITUTION OF THE SERBIAN ORTHODOX CHURCH

"Since certain rules and regulations of the Constitution of the Serbian Orthodox Church of November 16th, 1931 were rendered powerless because of the changes in rela-

tionship of the Serbian Church toward the State, and in view of the heavy consequences of the war and of the conditions which have arisen in the life and work of the Serbian Church, the Holy Assembly of Bishops of the Serbian Orthodox Church made changes and amendments in this Constitution, which by reason of necessity are immediately applicable, as of the day of publication in the "Glasnik", the official journal of the Serbian Patriarchate, with the condition that they be presented at the appropriate time to the Patriarchal Council through the Patriarchal Executive Committee."

CONSTITUTION
OF THE SERBIAN ORTHODOX CHURCH
1. FUNDAMENTAL REGULATIONS

ARTICLE 1.

The Serbian Orthodox Church is one, undivided, and autocephalous. The Church confesses publicly its religious teachings, performs publicly its religious services, and governs and regulates independently all its religious affairs.

Serbian Orthodox Church maintains dogmatic and canonical unity with all other Orthodox Churches.

ARTICLE 2.

The Serbian Orthodox Church has a rank of a Patriarchate.

ARTICLE 3.

The following is a description of the coat of arms of the Serbian Orthodox Church:

Upon the patriarchal background of purple, it is decorated with a doublebar cross on the right side, and the archipastoral staff on the left, and in the center a shield

topped with a bishop's crown; upon the blue upper half of the shield on the right side is the tower of St. Sava in Hilendar, and on the left side the monastery church of the Patriarchate of Ipek, both white in color; upon the lower white is a gold cross in the center with four equal sides, and upon each of the four spaces about the cross is a golden ray eminating from each corner.

ARTICLE 4.

The official language of the Serbian Orthodox Church is Serbian with writing in Cyrillic. In exceptional and justified cases, a deviation from this regulation is allowed with regard to the language for internal use, in which cases The Holy Synod of Bishops makes a special ruling based upon this regulation.

The banner of the Serbian Orthodox Church is tri-color; red-blue-white, with a gold cross and rays.

ARTICLE 5.

The legal persons in the Serbian Orthodox Church are these: Patriarchate, dioceses, church congregations, monasteries, foundations, independent institutions or such funds designated for places of worship.

These legal persons may, in accordance with legal regulations, acquire and hold either personal or real properties, and have all the rights and obligations in that capacity.

ARTICLE 6.

The Serbian Orthodox Church independently governs and freely handles church property, church funds and memorial bequests (foundations), within the limits of this Constitution and state laws.

Church authorities independently decide concerning the acceptance of memorial bequests which are intended for church purposes.

The Serbian Orthodox Church independently exercises control of its incomes and disbursements.

The property of the Serbian Orthodox Church serves only the aims of the Church, nothing can be taken from it in any form nor used for other purposes, except in cases of expropriation forseen by law.

ARTICLE 7.

The Serbian Orthodox Church is governed on the basis of:

(a) The Holy Scripture and Holy Tradition, according to the teaching of the Holy Orthodox Church;
(b) Rules of the Ecumenical Councils and by them all the rules of the Holy Apostles recognized as such, rules of the regional councils, and the rules of the Holy Fathers of the Church;
(c) Rules of the regional councils and synods inasmuch as were adopted by the Serbian Orthodox Church;
(d) Regulations of this Constitution;
(e) Regulations, rules and general rulings of the competent church authorities.

ARTICLE 8.

Organization of the Serbian Orthodox Church is church-hierarchical and church-administrative.

All the church spiritual, disciplinary and legal authority, in accordance with the canons and rules of the Serbian Orthodox Church, belongs exclusively to the hierarchy. This authority is exercised through its hierarchical representatives and organs.

ARTICLE 9.

Church offenses and penalties are those which are prescribed by this Constitution according to the canons of the Orthodox Church.

ARTICLE 10.

In the Serbian Orthodox Church there are church hierarchical and administrative authorities, bodies and organs:

1. Patriarch, Holy Bishop's Council and Holy Synod, High Ecclesiastical Court, Patriarchal Council and Patriarchal Board;
2. Diocesan Bishop, diocesan ecclesiastical court, diocesan council and diocesan executive board;
3. Bishop's vicar;
4. Parish priest;
5. Church congregational council and church congregational executive board;
6. Abbot and the monastery brotherhood.

ARTICLE 11.

All ecclesiastical authorities, bodies and organs of the Serbian Orthodox Church have their seals with the Church coat of arms in the center, and inscription encircling it as follows:

1. The Archibishop of Ipek, Metropolitan of Belgrade-Karlovac, and Serbian Patriarch;
2. The Holy Assembly of Bishops of the Serbian Orthodox Church;
3. The Holy Synod of Bishops of the Serbian Orthodox Church;
4. The Supreme Ecclesiastical Court of the Serbian Orthodox Church;
5. The Patriarchal Council of the Serbian Orthodox Church;
6. The Patriarchal Executive Committee of the Serbian Orthodox Church;
7. Orthodox Bishop (Metropolitan) of the Diocese (N) in (N);
8. The Ecclesiastical Court of the Orthodox Diocese of (N) in (N);

9. The Diocesan Council of the Orthodox Diocese of (N) in (N);
10. The Diocesan Executive Committee of the Orthodox Diocese of (N) in (N);
11. Orthodox episcopal district of (N) in (N);
12. The Serbian Orthodox Parish of (N) in (N);
13. The Serbian Orthodox Church congregation in (N);
14. Serbian Orthodox Monastery in (N);

In case of necessity the titles under points 11, 13 and 14 of this article can be changed. This is decided by the Holy Synod of Bishops upon recommendation of the jurisdictional Bishop.

Dioceses, monasteries and other institutions, which have their historical seals may retain them in further use.

ARTICLE 12.

The Serbian Orthodox Church is episcopal. Its main administrative division is composed of dioceses, both in regard to church hierarchical and church administrative aspect.

ARTICLE 13.

At the head of the Serbian Orthodox Church is the Serbian Patriarch, as its chief ruler. The title of the Patriarch is: The Archbishop of Pec., Metropolitan of Belgrad-Karlovic and the Serbian Patriarch.

At the head of each diocese there is the diocesan bishop as its direct rules. He is, according to the church canonical regulations, chief representative and guiding leader of all church spiritual life and church order in the diocese and he rules the diocese assisted by his clergy and laymen.

ARTICLE 14.

These are the Dioceses in the Serbian Orthodox Church

1. Belgrade-Karlovci, Archbishopric with its seat in Belgrade;
2. Diocese of Banat with its seat in Vrsac;

3. Diocese in Banja Luka with its seat in Banja Luka;
4. Diocese of Bachka with its seat in Novi Sad;
5. Diocese of Branichevo with its seat in Pozarevac;
6. Diocese of Budimlja Polim with its seat in Bjelo Polje;
7. Diocese of Gornji Karlovac with its seat in Plaski and Karlovac;
8. Diocese of Dabro-Bosna with its seat in Sarajevo;
9. Diocese of Dalmatia with its seat in Sibenik and Split;
10. Diocese of Zagreb with its seat in Zagreb;
11. Diocese of Zahumlje-Hercegovina with its seat in Mostar;
12. Diocese of Zvornik-Tuzla with its seat in Tuzla;
13. Diocese of Zletovo-Strumica with its seat at Stip;
14. Diocese of Zhicha with its seat at Kraljevo (Zhicha);
15. Diocese of Nish with its seat at Nish;
16. Diocese of Ohrid-Bitolj with its seat at Bitolj.
17. Diocese of Pakratz with its seat at Pakratz;
18. Diocese of Rashko-Prizren with its seat at Prizen;
19. Diocese of Skoplje with its seat at Skoplje.
20. Diocese of Srem with its seat at Sremski-Karlovci.
21. Diocese of Timok with its seat at Zajecar;
22. Diocese of Crna Gora and Primorje with its seat at Cetinje;
23. Diocese of Shabatz and Valjevo with its seat at Shabatz;
24. Diocese of Shumadija with its seat at Kragujevac;

Bishops of Dioceses in: Crna Gora-Primorje, Skoplje, Dabro-Bosna, and Zagreb have by their rank the title of Metropolitanate.

ARTICLE 15.

In addition to already mentioned dioceses in the previous article, under the jurisdiction of the Serbian Orthodox Church in spiritual and hierarchical aspect, also belong the following dioceses outside of the country:

1. The Serbian Orthodox Church in the United States of America and Canada, with its seat in Chicago or in the monastery of St. Sava, at Libertville, Illinois;
2. Serbian Orthodox Diocese of Budim. . . .
3. Parts of the Vrshatz and Temisvar Diocese outside the borders of Yugoslavia, with its seat in Temisvar;
4. The Czech-Moravian in Orthodox Diocese in Czecho-Slovakia;
5. The Serbian Orthodox Vicariate of Skadar with its seat at Skadar (Skutari);
6. The Serbian Orthodox Churches, Church congregations, and parishes outside the borders of Yugoslavia (Churches in the Diaspora).

Questions of an organizational material, and of other matter which eminate from the former relations with the Diocese of Budim (pt. 2.), and parts of the Diocese of Temisvar (Romania) and Vrshatz outside the borders of Yugoslavia, as component parts of the former Metropolitanate of Karlovci, will be decided by the Holy Bishops Assembly in accordance with the need in agreement with the Patriarchal Executive Committee, and with the concordance with other competent factors.

ARTICLE 16.

Decisions of establishing, naming, liquidating, reorganizing, and the seat of the dioceses, and establishing or eliminating of position of vicar bishops, is decided upon by the Holy Council of Bishops, in agreement with the Patriarchal Council.

ARTICLE 17.

A Diocese, in the church-administration sense, is comprised of Episcopal Districts, church congregations, parishes, and monasteries.

ARTICLE 18.

The episcopal district is comprised of a determined number of church congregations and parishes under the supervision of a bishop's district deputy.

ARTICLE 19.

The organizing, naming, and discontinuing, and changes in the Episcopal Districts is decided by the Diocesan Bishop in agreement with the Diocesan Ecclesiastical Court and the Diocesan Executive Committee, of which he shall inform the Holy Synod of Bishops and the Patriarchal Executive Committee.

ARTICLE 20.

A church congregation is comprised of adherents of the Serbian Orthodox Church with a priest on a specified territory, which may include one or more localities and having as its aim the caring of the needs for the church.

The decisions about founding of a church congregation is made by the Diocesan Bishop in agreement with the Ecclesiastical Court and the Diocesan Executive Committee, of which he informs the Holy Synod of Bishops and the Patriarchal Executive Committee.

ARTICLE 21.

A church congregation is comprised of one or more parishes.

Parishes in one locality make up one church congregation. Where there are more than 50,000 Orthodox souls, more than one church congregation may be organized.

ARTICLE 22.

A parish is a community of Orthodox persons which exists under the spiritual guidance of a parish priest.

There can be more parishes in one locality, and more localities may comprise one parish and one church congregation.

ARTICLE 23.

A parish is made up of at least 300, and at most 500 Orthodox families. Exceptions can be made in those places and sections where the terrain and other conditions do not permit such a grouping of parishes.

A family is every separate Orthodox household: Couples with or without children, or any family unit which has one head and single persons who have reached their majority (in age) who conduct a separate household.

ARTICLE 24.

The Diocesan Bishop, in agreement with the Diocesan Ecclesiastical Court, and the Diocesan Executive Committee, renders decisions on the forming of new and the discontinuance and reapportionment of old parishes. The Holy Synod of Bishops and the Patriarchate Executive Committee shall be informed.

ARTICLE 25.

Every Orthodox Christian belongs to the parish in which he is permanently settled (domiciled).

ARTICLE 26.

The parish has its parochial church. More parishes may have one mutual church. If there are more churches in one parish, only one of them is considered the parochial church; all the others are subordinate.

ARTICLE 27.

Exceptionally and temporarily and upon the decision of the Diocesan Bishop, parishes which do not have their church can make use of the monastery temple as a parish church. In such a case the congregation of that parish is duty-bound to supply the temple with all its needs, inasmuch as it serves as the parish church. In such places the head of the monastery, by his position, joins the church-congregational executive committee.

ARTICLE 28.

A parish has its office with its own birth-record books, church protocol records, and other prescribed books, and its seal.

If there are more parishes attached to one church, there is only one parish office with one set of record-books and other official books and one seal.

ARTICLE 29.

A monastery is a consecrated place with a church and other buildings, as a community of the monastic order, which are united in one spiritual fraternal community bound by solemn vows of abstinence, poverty, and obedience, and dedicated to prayer and toil.

ARTICLE 30.

The founding of a new monasteries, as well as the merging of existing ones, is performed by the Diocesan Bishop, and he informs the Holy Synod of Bishops which grants the final approval.

For the founding of new monasteries there must be assured beforehand the material resources for its existence and proper life of the community.

ARTICLE 31.

Priories are separate monastery properties, with a church or without one. They are an integral part of their monasteries and are under their management.

ARTICLE 32.

All decrees for the monasteries in this constitution are valid monasteries as well as for convents.

ARTICLE 33.

Buildings dedicated to the service of God, church offices, church educational and charitable institutions, foundations for church use and needs, Episcopal, monastic and parochial homes, Orthodox cultural-historical monuments (monastic and church lands, etc.), Orthodox cemetaries, and landscape of all of the above mentioned institutions are tax exempt.

ARTICLE 34.

The Holy Synod of Bishops publishes an official journal of the Serbian Orthodox Church. Detailed regulations relating to it are prescribed by the Holy Synod of Bishops in agreement with the Patriarchal Executive Committee.

ARTICLE 35.

For the submission of permissable appeals against the decisions and verdicts of church authorities, insofar as another time limit is not ordered by this constitution, a time limit of fourteen days is hereby prescribed, counting from the day following the day of notification. If the appeal is submitted within the prescribed time to the post office with a return receipt requested or registered, it is considered that it was duly submitted. Appeals are submitted through the authority which has issued the verdict or decision.

ARTICLE 36.

Persons of the monastic order cannot own any real estate. Upon the death of a monastic person, all his personal effects and wordly goods belong to the monastery, inasmuch as he has not already disposed of them during his lifetime.

ARTICLE 37.

A Bishop can consider as his property, hold it, and manage it during his lifetime only that which he himself has acquired. Of such personal property a Bishop may in his testament will one-third freely according to his own discretion; the second one-third he is obliged to will for the needs of his Diocese; and the third one-third he is obliged to will to foundations or independent funds for the general needs of the Church.

A Bishop who is not a Diocesan Bishop is obliged to will to any Diocese the second one/third of his belongings.

ARTICLE 38.

If a Bishop dies without a Will, from his real estate and personal belongings, funeral expenses will be paid and all of the debts he left, and the balance will be divided by the Holy Synod of Bishops according to the needs of the Church.

Vestments of a Bishop, his library and other church goods, after his death, belong to his diocese.

ARTICLE 39.

All members of the Patriarchal, Diocesan, and Church congregation councils, except ordained persons, then secretaries and clerks of all church offices upon assumption of their duties, that this oath:

"I, (name and surname), swear by the Almighty God that I will be loyal to the Holy Orthodox Church, that I will conscientiously obey all Church Canons, Church constitution, and other Church laws and regulations, that I will carry out correctly my duties, guard official secrets, and always protect and defend the interests of the Serbian Orthodox Church. As I do this, so may God help me in this and the other world."

Members of Ecclesiastical Courts (Bishop's Deputies, Church prosecutors, Court secretaries, honorary members as well as alternate members), except the Bishop take this oath:

"I, (name and surname), swear by the Almighty God that I will be loyal to the Orthodox Church, that I will carry out my duties correctly and guard official secrets, and that I will, in the dispensing of justice, regardless of the persons involved, will hold to God's law, the Holy Canons, the Church Constitution, and other Church regulations. As I do this, so may God judge and help me."

All named persons take the oath before the president of the bodies, or before his deputy, and put into his hands a signed oath, which he verifies and places in the archives.

ARTICLE 40.

The Church fulfills its needs:

1. Receipts from Church property of all kinds, as well as from papers of value (securities);
2. Church taxes;
3. Assessments from Church congregations and monasteries;
4. Donations and bequests;
5. Receipts from Church foundations and institutions.

ARTICLE 41.

For official acts of Church authorities and in hierarchial and self-governing spheres, the only tax which is payed, is the one which Church authorities prescribe.

II. THE STRUCTURE OF AUTHORITIES, BODIES, AND ORGANS OF THE SERBIAN ORTHODOX CHURCH.

1. The Patriarch

ARTICLE 42.

The Patriarch is elected from among the Serbian Diocesan Bishops, who have rules Dioceses at least five years.

ARTICLE 43.

The election of a Patriarch is done by an electoral Assembly, from among three candidates, who are nominated by the Holy Assembly Bishops of the Serbian Orthodox Church at a meeting at which there is present at least two-thirds of the Diocesan Bishops, under the presidency of the oldest member of the Assembly a Metropolitan, or if such is not present, the oldest Bishop member of the Holy Assembly Bishops.

The names of the three nominated candidates are submitted in writing to the Electoral Assembly by the Holy Synod Bishops.

ARTICLE 44.

The Electoral Assembly is comprised of:

1. All active Diocesan and Vicar Bishops of the Serbian Orthodox Church;
2. The Dean of the Orthodox Theology Faculty in Belgrade;
3. Rectors of Serbian Orthodox Seminaries;
4. The President of the Central Federation of Diocesan priests' association.
5. Bishops deputies of the cities of: Belgrade, Skoplje, Cetinje, Zagreb, Sarajevo, Pech, and Stremski Karlovci.
6. The abbots of monasteries: Zicha, Studenica, Dechani, Patriarchate of Pech, St. Naum, Mileshevo, St. Vasilijeo of Ostrog, Krusedol, and Krka.
7. Director of the monastic school and;
8. All members of the Patriarchal-Executive Committee and all vice presidents of Diocese Councils, inasmuch as they are not already members of the Patriarchal-Executive Committee.

Ordained persons mentioned in this article can be members of the Electoral Assembly if they are not under investigation or canonical suspension.

ARTICLE 45.

The Electoral Assembly meets in the capital, Belgrade, or in another place chosen by the Holy Assembly of Bishops for the election of a new Patriarch, at least within three months from the day when the Patriarch's throne became vacated.

The Electoral Assembly is convened by the Holy Synod of Bishops by a written act, in which the day, time and place are then stated of the meeting of the Electoral Assembly is specified. The invitation is sent along with a proof of receipt twenty days prior to the meeting of the Electoral Assembly.

ARTICLE 46.

The Electoral Assembly is presided over by the eldest member of the Assembly, a metropolitan, and if none be present, then the eldest bishop by consecration.

The president opens the Electoral Assembly. Upon invitation by the presiding bishop, the Electoral Assembly elects from its midst two secretares of whom one is a clergyman and one layman, and two members to verify the minutes, of whom also one is a clergyman and one a layman; the presiding bishop together with these persons, examines the credentials of the present members and handles the affairs of the election.

Following this, the president calls upon the secretary to read the decision of the Holy Synod of Bishops concerning the summoning of the Electoral Assembly, and also the list of invited and present members of the Assembly.

ARTICLE 47.

When it is established that at least two-thirds of the Holy Assembly of Bishops is present and also a majority (one over half) of the members of the Electoral Assembly, the Electoral Assembly begins with the invocation of the Holy Spirit. In case the quorum is not met, the election is postponed and the subject is returned to the Holy Assembly of Bishops to designate the time for a new election.

Before approaching the election, members of the Electoral Assembly, excepting the Bishops, take in the Assembly the following oath:

> "I (name and surname) do solemnly swear by Almighty God and by all which is most holy, and most dear to me in this world that in the deliberations regarding the election of the Serbian Patriarch, have in view only the good and the interests of our Holy Orthdox Church, and the Serbian people, and the fatherland, and that I will give my vote only to that candidate about whom I am convinced that he will most conscientiously and best perform the duties of the Serbian Patriarch. As sincerely as I act, so may the Lord God help me in this and in the other world."

After the invocation of the Holy Spirit and taking of the oath, the President of the Electoral Assembly reads the act from the Holy Synod of Bishops by which they are informed of the names of the three candidates nominated by the Holy Assembly of Bishops for the election of a new Patriarch.

ARTICLE 48.

In the election of the Serbian Patriarch, only the members prescribed by this constitution can be present and can participate.

Of the absent members justfibly prevented from being present personally, only a Bishop can authorize, in writing, one of the present Bishops to vote in his name.

ARTICLE 49.

The election of one of the three candidates nominated by the Holy Assembly of Bishops is conducted by secret paper ballots which will be distributed by the secretary to the present members of the Electoral Assembly.

The secretary calls the roll of the members of the Assembly—according to the list; then every member submits his ballot in the box on the table of the President.

The counting of the ballots is performed by the President together with the two members elected to verify the minutes (art. 46). The President takes out one slip at a time from the box and reads aloud the name of the candidate written thereon, and then he hands the slip to the other two members who also read aloud the names of the candidates. The secretary immediately enters in the minutes the number of slips handed in and the number of votes received by each candidate, and also the number of blank slips, if any.

Ballots which are submitted for candidated not monimated in accordance with article 43 of this Constitution shall be considered void.

ARTICLE 50.

The candidate who receives an absolute majority of the votes is elected the Patriarch.

If among the nominated candidates none receive an absolute majority of votes, then another vote is taken between the two with the highest number of votes. In case that in the first balloting two candidates receive an equal number of votes, eligible for the second ballot are: The candidate who received the largest number of votes, and the one of the other two who have received an equal number of votes, who ever has seniority either by rank or by episcopal consecration. If all three receive an equal number of votes, in the second balloting are entered the two candidates, who by their rank or by their episcopal consecration are eldest.

In case that even in the second balloting both candidates receive an equal number of votes, then the election between these two is conducted by drawing.

ARTICLE 51.

The name of the elected Patriarch is announced by the President of the Election Assembly, who closes (adjourns) the meeting of the Assembly.

ARTICLE 52.

The minutes of the Election Assembly are signed by the President, Secretaries and certifiers of the minutes, elected in accordance with Article 46 of this Constitution.

The acts (records) and the minutes relating to the work of the Election Assembly are preserved in the archives of the Holy Bishops Synod and a certified copy in the archives of the Patriarchate Executive Committee.

ARTICLE 53.

The next day, at a solemn holy pontifical liturgy, the Patriarch is seated (invested) in the manner as it is prescribed by the Holy Bishops Assembly.

After these rites, the newly elected Patriarch takes over the rights and duties of the supreme head of the Serbian Orthodox Church.

ARTICLE 54.

The Patriarch has within his Bishopric all the rights and duties of a Diocesan Bishop, and he rules in it with the assistance of his Vicar Bishops.

ARTICLE 55.

The Patriarch, as the supreme head of the Serbian Orthodox Church, besides the rights (privileges) given him by the canons and church regulations, also has the following:

1. Represents the Serbian Orthodox Church before the other autocephalous churches;

2. Represents the Serbian Orthodox Church at Church, State and People's celebrations;
3. Maintains the unity of the hierarchy of the Serbian Orthodox Church;
4. Consecrates, in accordance with church's prescribed rules, in person or through authorized Bishops, persons elected as Diocesan or Vicar Bishops;
5. Consecrates Holy Chrism for the entire Serbian Orthodox Church;
6. He grants leaves to Diocesan Bishops outside of their Diocese;
7. He wears as a special church decoration, a white head-shroud, biretta, with a cross and a pictorial image of all Serbian Saints, presented by the State to the first Serbian Patriarch upon restoration of the Serbian Patriarchate, which remains as an inheritance to all Serbian Patriarchs;
8. He leads at church officials and is called "Holiness" and "Your Holiness";
9. He is mentioned at pontifical liturgies by Bishops in the entire Serbian Orthodox Church;
10. He bestows church decorations and honors, in accordance with the regulations prescribed by the Holy Bishops Assembly;
11. Appoints by decree clerks and officials according to this Constitution;
12. Rules churches in foreign missions where there is no Serbian Orthodox Diocese.

HOLY ASSEMBLY OF BISHOPS AND HOLY SYNOD OF BISHOPS

a.) General and Mutual Regulations

ARTICLE 56.

The Holy Assembly of Bishops is composed by all diocesan bishops under the presidency of the Patriarch.

ARTICLE 57.

The Holy Assembly of Bishops, as the highest hierarchical body, is legislative authority in the matters of faith, officiation, church order (discipline) and internal organization of the Church, as well as the highest church juridical authority within its jurisdiction (Article 69 sec. 28).

ARTICLE 58.

The Holy Synod of Bishops is composed of the Patriarch, as the president, and four diocesan bishops, as members.

Members of the Holy Synod are elected by the Holy Assembly of Bishops for a two year period, alternating two each year.

Meetings of the Holy Synod of Bishops are held in smaller composition with two members under the presidency of the Patriarch or in full complement of all the members.

Members of the Holy Synod of Bishops have the right on traveling expenses and perdiem when they work.

ARTICLE 59.

The Holy Synod of Bishops is the highest executive body (administrative and controlling) as well as juridical authority within its jurisdiction (Article 70, sec. 35).

The Holy Synod of Bishops decides under the presidency of the Patriarch of regular and special sessions of the Holy Assembly of Bishops.

ARTICLE 60.

The Holy Assembly of Bishops can promulgate fully valid decrees (decisions), except the election of Bishops (Article 105), when there is present a majority of all Diocesan Bishops.

The Holy Assembly of Bishops and Holy Synod of Bishops makes its decisions unanimously or by a majority of votes. When there is an equal division of votes, the vote of the President decides.

ARTICLE 61.

When the Patriarch, for any reason whatsoever, is temporarily prevented to perform his duties as the President of the Assembly, or in the Synod, he is replaced by his authorization, by the oldest consecrated Metropolitan and member of the Assembly, or of the Synod, and if such does not exist, the oldest Bishop by consecration and member of the Assembly, or of the Synod.

ARTICLE 62.

If the Patriarch is prevented from performing his duties for a long and sustaining period of time, or if the Patriarchal throne is vacated, the authority of the Patriarch is performed by the Holy Synod of Bishops which announces that fact to the Diocesan Bishops and informs the State Authorities. The presiding duties of the Patriarch in the Holy Assembly of Bishops and the Holy Synod of Bishops is performed by the oldest, by consecration, by the member of the Holy Synod of Bishops Metropolitan, or the oldest by consecration Bishop, if there is no Metropolitan.

In such cases it is not possible to promulgate church law, decrees, laws and principle decisions.

ARTICLE 63.

If the Holy Assembly of Bishops or the Holy Synod of Bishops because of urgent need which cannot be delayed, exceptionally as in cases mentioned in Articles 61 and 62, must promulgate some Church-law decree, regulation or basic directive for the Church, that is to be submitted later to the Patriarch for his consideration and approval. In case of his disapproval, the subject is given over to the Holy Assembly of Bishops for consideration and final decision, under the presidency of the Patriarch.

ARTICLE 64.

All the decisions of the Holy Assembly of Bishops and of the Holy Synod of Bishops of canonical and church nature, in regard to faith, officiation, church order and internal organization of the church, are valid and final.

ARTICLE 65.

All decrees of the Holy Assembly of Bishops and Holy Synod of Bishops are recorded in special minutes (protocol). Those minutes are signed by all members who attended and made decisions.

ARTICLE 66.

Holy Assembly of Bishops and Holy Synod of Bishops perform their duties (tasks) directly, or through organs and offices subservient to them.

ARTICLE 67.

The Patriarchal office conducts the business of the Holy Assembly of Bishops and the Holy Synod of Bishops and the office of the Patriarch, all under the direct supervision of the Patriarch.

ARTICLE 68.

The Holy Assembly of Bishops and Holy Synod of Bishops may call into their meetings for expert opinion, ordained and Lay persons who are not members of those bodies.

b) JURISDICTION OF THE HOLY ASSEMBLY OF BISHOPS

ARTICLE 69

The Holy Assembly of Bishops, whose purpose is noted in Article 57 of this Constitution:

1) interprets the Orthodox Church Teaching, adhereing in this to the regulations which the Holy Church, based upon Holy Scripture and Holy Tradition has established;

2) regulates the enternal and external mission of the Church for the strengthening, defense and propagation of the Orthodox Faith and purity of Christian morals; establishes for this the necessary organs and founds necessary foundations, institutions and societies;
3) prescribes the teaching plan and program of religious education and provides for the religio-moral training of the youth and faithful;
4) prescribes the qualifications for candidates for all regular, special, and missionary church positions of service;
5) founds theological and monastic schools;
6) regulates all questions of ritual according to general church rules, and in the spirit of the Orthodox faith;
7) founds institutions and foundations: for the making of church arts-icons and all church utencils, for the publishing of divine service books, for perpetuating church singing, and for other church needs; prescribes rules for the establishing of church museums, for preserving and restoration of church antiquities and monuments;
8) canonizes saints and prescribes the service for their commemoration;
9) interprets canonical-ecclesiastical rules, those which are general and obligatory, and particular ones, and publishes their collections;
10) prescribes the duties and renders disciplinary regulations for the priesthood and all other ecclesiastical-heirarchical organs and personnel;
11) prescribes the dress for the higher and lower clergy of both branches;
12) prescribes the ecclesiastical-judicial procedure for all Ecclesiastical Courts;

13) issues rules in church marital affairs;
14) sets the rules for monastery life and for monastics residing in episcopal residences;
15) prescribes directives for service of confessors;
16) establishes in agreement with the Patriarchal council institutions for orphans and uncared for children of the clergy, and also institutions for other educational and benevolent purposes;
17) endeavors that the relation between the Church and State, and the mutual relations between faiths and denominations in the State be properly and without damage to the Orthodox Church regulated;
18) regulates and keeps an official list of candidates for the rank of bishop, and elects from among these worthy persons for diocesan and vicar bishops;
19) elects the rectors of Orthodox seminaries and directors of monatic schools;
20) elects, in agreement with the Patriarch, the chief Secretary of the Holy Assembly of Bishops and the Holy Synod of Bishops from among ordained persons;
21) exercises control over the work of the Holy Synod of Bishops;
22) prescribes the by-laws of the Synodal Fund (Art. 259), and approves its annual estimates of disbursements and incomes and the final accounts;
23) renders decisions concerning assessments of church congregations, monasteries, and dioceses in its sphere by agreements with the Patriarchal council, and in accordance with Article 40, pt. 3, and Article 263, and in agreement with the Patriarchal council provides for the satisfying of all needs of the Serbian Orthodox Church;

24) approves the by-laws of clergy associations of the white and monastic branches, and of all other societies which work for the benefit of the Orthodox Church, and exercises control over the same through the Holy Synod of Bishops;
25) prescribes its own agenda, and approves the agendas and by-laws for church-heirarchical organs, insofar as they are not otherwise so ordered by this Constitution;
26) settles disputes of jurisdiction between heirarchical and church-self governing organs;
27) ADJUDGES:
    A) In first and in final instances:
        a) disagreements between bishops and the Holy Synod, and between the bishops and the Patriarch;
        b) canonical offenses of the Patriarch;
    B) In the second and final instance:
        All matters which the Holy Synod of Bishops judged in the first instance;
28) Upon petition of the adjudged, and upon an explanatory motion of the jurisdictional diocesan Bishop, lessens the punishment pronounced by the Supreme Ecclesiastical Court, prior to their execution, to wit: to life-time suspension of sacerdotal functions, to defrockment from priestly orders, and to defrockment from priestly orders with excommunication from the church community;
29) performs other duties and functions which by this Constitution and by Church canonical regulations belong to its jurisdiction, and are not here enumerated.

c) JURISDICTION OF THE HOLY SYNOD OF BISHOPS

ARTICLE 70

The Holy Synod of Bishops is its jurisdiction which is marked in Article 59 of this Constitution:

1) maintains dogmatical and canonical unity and permanent connection with other Orthodox Churches;
2) protects and defends purity of teaching of the Orthodox Church on faith and moral, repel every incorrect teaching, religious and moral prejudice, superstitions, and harmful customs;
3) takes care of propagating Orthodox faith and supervises the internal and external church mission;
4) takes care of bringing closer and unity of Christian churches;
5) grade, permit, and according to its findings, reward books on religion, and books of religious-moral content in general;
6) hovers over the life and work of theological and monastic schools, institutions and foundations for preparation and education of candidates for all church services; elect teaching and educational personnel, and takes care for its education, appoints and suspends them from their duties;
7) takes care for furthering church literature, elects students for special studies and decides on reward for writers;
8) elects editor and supervises the official organ of the Serbian Orthodox Church and other official editions;
9) supervises on the matters on translation and edition of the Bible, work of the Holy Fathers and works of ecumenical and regional church councils;
10) hovers that all sacraments are minutely performed and takes care of solemnity, regularity and uniformity in performing church services;

11) grades and publishes service books and its translations;
12) grades and permits making of the holy icons for church and private use;
13) issues instructions for buildings of holy churches and monasteries;
14) gives instructions for making of church utencils, vestments and other church needs;
15) takes care of uniformity and perfecting of church singing, establishes and supervises singing schools;
16) takes care of preserving holy relics, of icons and other holy objects;
17) takes care of church art, church artistic monuments, antiquities and church museums;
18) gives instructions on rules in disputes of church marriage, and protects sanctity of church marriage;
19) takes care of church benevolent and educational foundations and institutions;
20) supervises the work of the Diocesan Bishop;
21) provides for the operation of vacant dioceses and appoints administrators of the dioceses;
22) gives rank of archimandrite and cross to protopresbyters, upon the written recommendation of the Diocesan bishop;
23) handles church funds and foundations which are entrusted to him;
24) takes care that relation between church and state and interconfessional relations in accordance with law punctually and without damage for the Orthodox Church are maintained;
25) prepares agenda and proposals for the Holy Assembly of Bishops, and executes its decisions;
26) forms committees of expert persons for preparing material for its work and also for the Holy Assembly of Bishops;

27) elects in understanding with the Patriarch clerks and office personnel for itself and for the Supreme Ecclesiastical Court;
28) proposes for approval of the Holy Assembly of Bishops its working plan;
29) takes care of all disputes on jurisdiction of church hierachical authority if by this Constitution was not differently regulated;
30) supervises work of all organizations to clergy of white and monastic order, as well of other organizations which are working for the interest of faith and church;
31) studies reports of the Supreme Ecclesiastical Court and forwards it to the Holy Assembly of Bishops with its opinion and recommendation;
32) submit annual report of its work to the Holy Assembly of Bishops;
33) finally decides of founding, uniting and separating of monasteries;
34) performs also all other duties according to this Constitution which Holy Assembly of Bishops especially entrust it;
35) JUDGES:
    A) In the first instance:
        a) discord among the bishops;
        b) canonical offenses of a bishop;
        c) disciplinary official offenses of its organs and judges its discords;
    B) In the last instance:
        disciplinary offenses of teaching personnel of theological schools;

3. THE SUPREME ECCLESTIASTICAL COURT

ARTICLE 71

The Supreme Ecclestiastical Court is a higher church authority for the transgressions of priests, monks, and civilians and for church-marital disputes, as well as all church disputes and conflicts in the internal church direction (administration) which do not come before the jurisdiction of the Holy Bishops Assembly and Synod.

The seat of the Great Ecclestiastical Court is in the residence of the Patriarch.

ARTICLE 72

The Great Ecclestiastical Court is permanent and is comprised of:

a) three Bishops members of the Holy Bishops Synod who are delegated by the Holy Bishops Synod, from its midst one of which it names (designates) as its President;
b) two honorary members, lay priests, and two of their alternates, which are chosen by the Holy Bishops Synod for four years;
c) one recorder, an ordained person (priest).

In case the President is prevented from attending, or a Bishop member they are replaced by Bishops, members of the Holy Bishops Synod who are named by the Holy Bishops Synod.

ARTICLE 73

As honorary members in the Supreme Ecclestiastical Court and their alternates, it is permissable to appoint Lay Priests who have graduated higher theological schools and if possible law schools and have at least ten years of church-court or church-administration, or at least fifteen years of parish or church-education service.

ARTICLE 74

As a (referent: reporter-recorder or secretary) of the Supreme Ecclestiastical Court there may be appointed an ordained person who has graduated higher theological and if possible law studies and has spent in church-court or church-administration service at least five years.

ARTICLE 75

As a member of the Supreme Ecclestiastical Court and as a recorder (secretary) cannot be relatives, among themselves nor with the President by blood up to the fourth grade inclusive, and by in-law or christening up to second grade, inclusive.

ARTICLE 76

The Great Ecclestiastical Court hands down fully valid decisions in a council comprised of a President, four members and a recorder (secretary).

In case of the absence of a recorder (secretary) for his duties, the President will appoint a clerk from the office of the Holy Bishops Synod of corresponding rank.

ARTICLE 77

A member of the Great Ecclestiastical Court, who is personally interested, or has participated in the investigation, or has judged (the same) in a lower instance (court) cannot adjudicate that subject.

ARTICLE 78

The President, or his alternate, and members of the Great Ecclestiastical Court in deciding, give their opinion completely independently.

The Court brings about its decisions by a majority of votes. The voting starts with the youngest member of the Court.

ARTICLE 79

The Supreme Ecclestiastical Court, in the second and last degree (stage, presumably an appeal) considers, approves, adjusts, (changes) and annuls decisions and decrees of Diocesan Courts by its official duty or upon a submitted appeal.

Upon its official duty, the Great Ecclestiastical Court considers: (reviews)

1) decisions of Diocesan Ecclestiastical Courts which vote for the annulment of a marriage;
2) decisions of Diocesan Ecclestiastical Courts on the transgressions of priests of both orders ordering:
   a) the loss of his services, calling;
   b) the lifelong banning of priestly duties;
   c) the divestment of a priestly rank;
   d) the divestment of a priestly rank with the banishment (expulsion) from the church community,
3) decisions (a sentence) for a permanent banishment (expulsion) of a layman from the church community, and
4) decisions of Diocesan Ecclestiastical Courts which the competent Bishops transmits to the Great Ecclestiastical Court.

All other decisions and sentences of Diocesan Ecclestiastical Courts the Great Ecclestiastical Court considers and adjudicates only on an announced appeal.

ARTICLE 80

The Great Ecclestiastical Court decides on the exclusion of individual Diocesan Courts as well as on conflicts of jurisdiction between those courts and in such cases it orders which Diocesan Court will judge the case. In the same manner it decides on the exclusion of the President and members of the Great Ecclestiastical Court.

4. THE PATRIARCHAL COUNCIL

ARTICLE 81

The Patriarchal council is the supreme legislative representative body in matters of external (material-financial) church government.

ARTICLE 82

The Patriarchal Council is comprised of:

a) The Patriarch;
b) four members of the Holy Synod of Bishops or their alternates which the Holy Synod of Bishops may appoint;
c) the dean of the Orthodox Theological Faculty;
d) one rector of seminary;
e) one ordained person of the white clergy from each diocese;
f) the vice-presidents of the Diocesan councils; and
g) ten laymen

Members under (d) and (e) are appointed by the Holy Assembly of Bishops upon the recommendation of the Holy Synod of Bishops, and members under (f) upon recommendation of the diocesan Bishop.

Members under (g) are appointed by the Patriarch upon recommendation of the Holy Synod of Bishops and the Patriarchal Executives Committee brought forth in a joint meeting.

ARTICLE 83

The Patriarch calls the Patriarchal Council into session, and determines its place and time of meeting.

From the summons of the meeting of the Council there must elapse at least one month.

ARTICLE 84

The mandate of the members of the Patriarchal council is for six years. The Council is summoned in regular session every other year, and in special session according to need, to-wit:

a) when the Patriarch together with the Holy Synod of Bishops and the Patriarchal Executive Committee decide upon this;
b) when this is motioned in writing to the president by a over-half majority of the members of the Council, indicating the subjects to be decided. In such a case, the meeting must be called at latest in thirty days.

ARTICLE 85

The president of the Patriarchal Council is the Patriarch; i.e.; his legal deputy (Art. 61 and 62).

The Council elects from its midst the vice-president from among the lay members, and four secretaries, two of which are ordained and two lay persons.

ARTICLE 86

The Patriarchal Council renders valid decisions if there be present at the meeting over-half majority of all members. Decisions are rendered by majority votes of those present. In case of tie, the presiding voice decides. He also announces the decisions.

ARTICLE 87

Should the Patriarchal Council render a decision which, by the opinion of the Holy Synod of Bishops, is contrary to church rules, or is not in agreement with the principles of the Orthodox Church, the Patriarch withholds the execution of such a decision and returns the matter to the Council for re-decision. However, should the Patriarchal Council hold to its first decision, the Patriarch will, by evaluation of the Holy Synod of Bishops, submit the matter to

the Holy Assembly of Bishops, which is empowered to invalidate such a decision of the Patriarchal Council, should it find it to be against the rules and principles of the Orthodox Church.

ARTICLE 88

The meetings of the Patriarchal Council are public, except in cases when the Council itself decides that they be secret.

ARTICLE 89

The President of the Patriarchal Council conducts the meetings according to the agenda and preserves order during the work of the council.

ARTICLE 90

The Patriarchal Council, in the performance of its powers:

1) issues, with the priorly received agreement of the Holy Assembly of Bishops, regulations concerning the benefits of active and pensioned parish clergy, teaching personnel of seminaries, monastic and other schools, personnel of ecclesiastical courts, diocesan and vicar Bishops and of the Patriarch;
2) establishes the positions of clerks and other officials for the external church government, and issues regulations concerning their official relations, and also of their active and retirement benefits;
3) issues, with prior concent of the Holy Assembly of Bishops, regulations concerning the pension fund of Bishops and of all other church-hierarchical and self-governing clerks and officials, as also of the support of their widows and orphans;
4) prescribes rules of discipline for officials of external church government;
5) issues, with prior consent of the Holy Assembly of Bishops, regulations concerning the governing, handling, control and supervision of church funds, memorial bequests (foundations) and benefices;

6) provides for the material means to cover all the needs of the entire Serbian Orthodox Church in accordance with the regulations of this Constitution, and issues decisions of assessment upon the church congregations and monasteries, or upon dioceses in accordance with Article 69, pt. 24, and Article 263;
7) prepares its own agenda for its work;
8) approves within its jurisdiction regulations, by-laws and agendas which are issued by the appropriate lower bodies and organs;
9) cooperates with the Holy Assembly of Bishops in the changing and ammending of the Constitution of the Serbian Orthodox Church;
10) cooperates with the Holy Assembly of Bishops in the establishing of institutions and foundations, whose maintenance falls upon the burden of estimates of disbursements and incomes for general needs of the Church;
11) renders the final decision, in agreement with the Holy Assembly of Bishops, concerning the mortgaging and alienating of church real estate properties which are designated for the general needs of the Church, and approves such decisions with regard to diocesan, monastery, and church congregational properties, and in both instances, if the sum exceeds 2,000,000 dinars;
12) examines and approves the final accounts for the general needs of the Serbian Orthodox Church which are submitted to it by the Patriarchal Executive Committee, and performs other functions of general church government insofar as they do not by this Constitution belong in some other jurisdiction.

5. THE PATRIARCHAL EXECUTIVE COMMITTEE

ARTICLE 91

The Patriarchal Executive Committee is the supreme executive (governmental) and supervisory) authority over church-self governing orgains and is the Executive organ of the Patriarchal Council.

ARTICLE 92

The Patriarchal Executive Committee is comprised of:

a) the Patriarch, or his legal deputy (Art. 61 and 62) as the president;
b) two members of the Holy Synod of Bishops;
c) one representative of the monasteries;
d) three priests, and
e) seven laymen

Members under (b), (c), (d) and (e) have alternates in the same number and position.

Members of the Holy Synod of Bishops are appointed by the Holy Synod of Bishops from their own midst, while all the remaining members and their alternates are appointed by the Patriarchal Council from its own midst, for a term of six years.

ARTICLE 93

The Patriarchal Executive Committee is obliged to fulfill its activities up until the new members of the Patriarchal Executive Committee be appointed and installed.

ARTICLE 94

The Patriarchal Executive Committee elects for itself from among its lay members a vice president, if possible from the seat of the Committee or from a nearby locality.

ARTICLE 95

The Patriarchal Executive Committee may have for its legal matters its legal advisor.

ARTICLE 96

The Patriarch, or his legal deputy, summons the regular meetings of the Patriarchal Executive Committee in the See of the Patriarch every year in the spring and in the fall, and to special meetings when He himself so decides, or when this be requested in writing by at least one half the members of the Patriarchal Executive Committee, indicating precisely the subject because of which the special meeting is being sought.

ARTICLE 97

If the Patriarch is convinced that some decision is contrary to the regulations of church rules or existing regulations, or that it is in conflict with the principles of the Orthodox Church, he is empowered to halt the execution of the decision and order a new debate. If even at this debate no agreement is reached, the Patriarch directs the subject to the Patriarchal Council for decision. In the event that the Patriarchal Council takes the same stand as the Patriarchal Executive Committee, then provisions of Article 87 of this Constitution are followed. If the matter is of an urgent nature, the Patriarch has the right of exception to send it to the Holy Assembly of Bishops, which is empowered, if it finds that an urgency exists, to render a final deciison on the matter.

ARTICLE 98

The Patriarchal Executive Board renders fully valid decisions if at the meeting there is present a over-half majority of all members. Decisions are rendered by a majority vote of those present. In case of a tie, the voice of the presiding decides. He also announces the reached deicision.

ARTICLE 99

In cases of necessity, and especially where the agreement of the Holy Synod of Bishops and the Patriarchal Executive Committee is required, the Patriarch or his deputy may call a joint meeting of both bodies for consultation and decision.

ARTICLE 100

Matters which cannot be postponed are decided in presidium, or rather in smaller executive committee comprised of the president or his deputy (Art. 61 and 62), two ordained and three lay persons. These members are elected by the Patriarchal Executive Committee from among its own midst, if possible from the Seat of the Patriarchate or from the nearest locality. Decisions in presidium or in this smaller committee are subsequently submitted to the Patriarchal Executive Committee for approval.

ARTICLE 101

The Patriarchal Executive Committee by its authority performs in the main these functions:

1) announces and executes, insofar as they belong to its sphere, the regulations and decisions of the Patriarchal Council;
2) controls the self-governing church organs in their work, and for this purpose as necessary sends its special representatives;
3) issues for the general needs of the Serbian Orthodox Church an estimate of the general disbursements and incomes, and compiles the final accounts, which it submits for approval to the Patriarchal Council;
4) approves for the needs of the dioceses their estimates of disbursements and incomes and final accounts of the dioceses, and approves the diocesan assessment dues from church congregations and monasteries;

5) approves the establishing of funds, the acceptance of memorial bequests (foundations) and their by-laws;
6) governs the funds, memorial bequests (foundations) and benefices, which are designated for the general needs of the Church, and exercises supervision and control over all church funds, memorial bequests (foundations and benefices;
7) sees that churches, monasteries, and all other church-religious institutions have legal proofs of ownership of their holdings;
8) prepares and compiles within the limits of its sphere reports and suggestions from the field of church self-government and submits them to the Patriarchal Council;
9) publishes printed reports on the state of all church funds and memorial bequests (foundations);
10) makes the final decision concerning the mortgaging and alienating of church real estate properties which are designated for general needs of the Church, and approves such decisions in regard to diocesan, monastery and church-congregational properties, in both cases, if the sum does not exceed 2,000.000 dinars;
11) makes the final decision concerning the writing off of debts which belong to the general property of the Serbian Orthodox Church, and for which it is proven that the debt cannot be collected from the creditor: and decides about the removal from inventory of such property, and approves such decisions with regard to diocesan, monastery, and church-congregational debts and removal from inventory of things, if the sum exceeds for debts 50.000 dinars, and for removal from inventory of things 100.000 dinars;

12) approves decisions in all cases of receiving or giving under lease properties of church-congregations, monasteries, and dioceses, if the leasing price be greater than 200,000 dinars annually, while for all other properties regardless of the amount of the leasing price;
13) decides about grievances in the final and last degree, upon those subjects which Diocesan councils; i.e.; committes decide upon in the first, i.e., second degree;
14) elects its permanent clerks and other officials, which the Patriarch appoints and confirms by decree;
15) governs by agreement with the Holy Synod of Bishops the educational and benevolent foundations for the entire Church, which are supported and maintained at the burden of estimates of disbursements and incomes for the general needs of the Church. Excepted from this are the monastic, theological and other religious-educational schools and foundations, whose government belongs in the jurisdiction of the Holy Synod of Bishops;
16) endeavors that funds and memorial bequests be established for the Church's benefit;
17) prescribes its own agenda and that of the Diocesan councils, which are approved by the Patriarchal Council;
18) performs according to need other functions of a material nature, insofar as they do not belong by this Constitution in some other jurisdiction.

DIOCESAN BISHOP

ARTICLE 102

Diocesan Bishop, in his archpastoral calling, in accordance with Orthodox teaching and the church rules, has full hierarchical authority in matters of faith and morals, officiation, and archpastoral care in his diocese.

ARTICLE 103

Diocesan bishop, as direct head and representative of his diocese, in cooperation of the clergy and people, administers and guides in every respect in internal and external way religious and church life in the diocese.

ARTICLE 104

As a diocesan and vicar Bishop can be elected that person:

a) who fulfills all canonical-legal conditions forseen for the rank of Bishop in the Orthodox Church;
b) who has regularly completed an Orthodox Spiritual Academy or Orthodox Theological Faculty;
c) who is a citizen of Jugoslavia; this condition does not apply for Bishops of Serbian Orthodox Dioceses outside the country;
d) who by his zealous church service, and by his exemplary life and dedicated work for the good of the Church and people has acquired general respect and who has shown ability for the position of Bishop.

ARTICLE 105

Diocesan and Vicar Bishops are elected by the Holy Bishops Assembly under the presidency of the Patriarch.

The election is conducted by the Holy Bishops Assembly when there is present two-thirds of all the Diocesan Bishops.

In the election of Bishops, if unanimity is not attained, voting is by secret ballot and is decided by the absolute majority of votes. If the votes are so divided, that no candidate receives an absolute majority of votes, then we immediately proceed to a narrower election between the two who received the largest number of votes. Which candidate will go into the narrower election of those who received an even number of votes is determined by the Patri-

arch, who also decides in the narrower election if the votes are evenly divided. An absent member of the Holy Bishops Assembly can empower, in writing, his vote to one of the present members of the Holy Bishops Assembly, with which one Bishop can be empowered with only one vote.

After the completion of the election, the Patriarch proclaims the election of the candidate.

ARTICLE 106

To the newly elected and conceerated Bishops, the Patriarch issues a Gramata, which is signed by the Patriarch and members of the Holy Bishops Synod. The Gramata is published in the official newspaper of the Patriarchate.

ARTICLE 107

All church jurisdictions and organs in the Diocese are subservient to the Diocesan Bishop.

ARTICLE 108

In addition to his rights and duties according to ecclesiastical and cannonical regulations, the Diocesan Bishop has in his jurisdiction:

1) To teach and enlighten the clergy and people in the diocese by words, deeds and by pastoral epistles;

2) Preserves, defends and maintains the Orthodox Faith in the people, repels every activity which is against the Orthodox teaching and which is harmful to the interests of the Serbian Orthodox Church.

3) Instructs and encourages the clergy and people to establish and organize religious-benevolent, spiritual-educational, patriotic and in general all beneficial institutions for the advancement of faith and morals in the people;

4) Sees to the regular and proper conducting of divine worship and of church order in general:

5) Endeavors that churches and monasteries be provided with holy corporals, holy Chrism, holy vestments and utensils and divine service books, and that all other necessities of the church be properly provided for without delay;

6) Orders as necessary that divine services be held during special church, national and state holidays;

7) Gives the blessing for the erection, where necessary, of churches, chapels, cemeteries, and endeavors that they be kept in good order;

8) Sees that churches, monasteries and chapels are built in the style that is adopted in the Serbian Orthodox Church, and that the churches, monasteries, and homes of the faithful are provided with icons in the Orthodox spirit;

9) Provides for the preservation of church antiquities;

10) Consecrates churches;

11) Ordains worthy persons into the priesthood, directs them to duty and gives them a gramata confirming this;

12) Recommends to the Holy Synod of Bishops for decoration ordained persons who have distinguished themselves by exemplary living and by their church-pastoral and religious-educational work, and bestows himself such decorations upon such persons which are within his authority to give;

13) Appoints from among worthy ordained persons of both branches, his deputy in all diocesan affairs, and relieves him of the same, informing the Holy Synod of Bishops;

14) Appoints the diocesan preachers and confessors for the clergy in the diocese;

15) Recommends, appoints, and confirms for the callings and duties in the Church and church-self governing bodies the officials, clerks and servants, in accordance with the regulations of this Constitution;

16) Appoints capable persons for teachers of religion in the schools in his diocese and exercises supervision over their work;

17) Upon recommendation of the monastery superior, gives blessing to worthy persons for entering the monastic order;

18) Gives within his jurisdiction blessings and dispensations in church-marital and other matters in accordance with church-canonical regulations and the decisions of the Holy Assembly of Bishops;

19) Judges ordained persons of both branches for lesser (disciplinary) offenses, and punishes for these deeds by: warning, rebuke, penance up to fifteen days, and suspension of sacerdotal functions up to one month, and for greater offenses he submits them to the Ecclesiastical Court; he judges the faithful and pronounces punishments of temporary dismissal from particular rights or honors in the Church; all of these decisions are final;

20) May lessen degree of final punishment pronounced by the Diocesan Ecclesiastical Court up to one half of the adjudged sentence;

ARTICLE 108

21) In accordance with the regulations of this Constitution, suspends from sacerdotal functions ordained persons accused before the court for offenses—(Article 219) and appoints their substitute;

22) Grants to ordained persons and officials in his sphere vacations;

23) Appoints substitutes for absent and ill monastery superiors, district deputies, and parish priests;

24) Exercises supervision over the work of the district deputies and clergy of both branches in the diocese;

25) Exercises supreme supervision over the work and life within church foundations of his diocese, recommends to the Holy Synod of Bishops the appointment and dismissal of teaching and counseling personnel of these foundations;

26) Exercises in his diocese canonical visitations in accordance with church rules, sends special representatives of capable and worthy persons and gives them instructions for the examination of parochical and episcopal district offices, monastic governments and church congregations;

27) Sees that all orders, decisions, and regulations of higher ecclesiastical authorities are duly and accurately announced and carried out;

28) With the help of the Diocesan Ecclesiastical Court and the Diocesan Executive Committee, he sees that all church delegated authorities and organs in the diocese perform their duties conscienciously and properly, and that all things are carried out in accordance with existing regulations;

29) Submits to the Holy Synod of Bishops a report with his suggestions concerning his archipastoral work, and concerning the general estate of the diocese.

ARTICLE 109

A Diocesan Bishop can have his deputy who represents him within the limits of his given authority.

ARTICLE 110

A Bishops deputy can be such ordained persons, of both orders, who have met the conditions prescribed for members of Ecclesiastical Courts in this Constitution.

ARTICLE 111

The Holy Assembly of Bishops may remove the Diocesan Bishop only by canonical verdict, or release him upon proof of incapacity, or by establishing proof of one of conditions provided for in (Article 104), as well as justified application for pension.

ARTICLE 112

Vacant Diocese is governed by administrator, who is appointed by the Holy Synod.

As long as the Bishop's seat is vacant, there cannot be exercised any Diocesan function which would affect Diocesan organization, nor can there be made, any important changes in the matters which were initiated during the administration of the former Diocesan Bishop.

ARTICLE 113

As soon as there is a vacancy in a Diocese, by any reason whatsoever, the Diocesan Ecclesiastical Court orders a Commission of three persons who are to accept, according to the inventory, all the assets of the Diocese. If something is missing, the Court will notify the Holy Bishops Synod, which will bring about a decision on restitutions (restoration or damages).

ARTICLE 114

All inventoried real and personal property shall be submitted in writing to the administrator or to the newly appointed Bishop.

ARTICLE 115

The Diocesan Ecclesiastical Court is an organ of the Diocesan Bishop for church adjudication and the affairs of the internal church direction.

ARTICLE 116

The President of the Diocesan Ecclesiastical Court is the Diocesan Bishop, who, upon his authorization, can be substituted by Bishop's Deputy.

When the Bishop is presiding, the Bishop's Deputy may participate in the deliberation as a member of the Court.

ARTICLE 117

The Diocesan Ecclesiastical Court is comprised of:

a) President;
b) Two honorary members, who have alternates;
c) Secretary-recorder;
d) Necessary members of lower personnel.

All the personnel of the Ecclesiastical Court are appointed or released by the Diocesan Bishop and of such actions he informs the Holy Synod of Bishops.

ARTICLE 118

Members of the Diocesan Ecclesiastical Courts, their alternates, and secretaries (recorders) can be appointed from the ranks of ordained persons who have at least completed the regular seminary school and have at least ten years of court or church-administrative service. Priority goes to those candidates who have higher theological and possibly legal education.

ARTICLE 119

As secretaries of the Diocesan Ecclesiastical Courts may be appointed, those persons who have finished a regular seminary and for officials, those persons, who have completed four grades of a middle school.

ARTICLE 120

The duty of ecclesiastical prosecutor is performed by an ordained person, who is appointed by the Bishop.

ARTICLE 121

Members of the Diocesan Ecclesiastical Court, their alternates, and Secretary (recorder) cannot be related, one to the other, nor with the Presiden in degrees of relation as stated in (Article 75).

ARTICLE 122

The Ecclesiastical Court makes full valid decisions when in a counsel made up of the President, or his Deputy, two members, and secretaries (or recorders) are present.

ARTICLE 123

Members of the Court are replaced by alternates (also honorary members) and in case of need also a secretary of the Ecclesiastical Court.

ARTICLE 124

A member of the Ecclesiastical Court who is personally interested, or one who has participated in the investigation of the subject being adjudicated, cannot take part in the judging.

ARTICLE 125

The Diocesan Ecclesiastical Court decides as to the exclusion of members of the Court. In that decision, the Diocesan Deputy, or secretary, replaces member of the court whose exclusion is sought. Should the exclusion of more than one member is sought, the exclusion is decided by the Supreme Ecclesiastical Court.

ARTICLE 126

The President and members of the Diocesan Ecclesiastical Court, cast their vote in the determination completely, independently, in accordance with the dictates of their conscience and in accordance with those rules prescribed in canon law.

ARTICLE 127

The Diocesan Ecclesiastical Court renders its decisions by majority of votes. The voting begins with the youngest member of the Court.

A member of the Court who does not agree with the verdict reached, has the right to state his reasons in writing in a separate opinion. Separate opinions are not given to the litigants.

ARTICLE 128

All decisions of the Diocesan Ecclesiastical Court, rendered at the meeting at which the Diocesan Bishop did not preside, are submitted to him for concurrence. If the Bishop does not concur with the decision of the Diocesan Ecclesiastical Court, he can direct the subject be submitted for a new trial by the Diocesan Ecclesiastical Court; and if the Diocesan Ecclesiastical Court holds to its first decision the Bishop can submit the subject with his explanation of his opinion, to the Supreme Ecclesiastical Court, which on the subject of this disagreement, render its mandatory direction in which case, the carrying out of the decision of the Diocesan Ecclesiastical Court is stopped until the Supreme Ecclesiastical Court rules.

ARTICLE 129

Decisions brought about at meetings of Ecclesiastical Courts are recorded immediately in the minutes which are signed by all of the members who judged or decided, and by secretary also.

Decisions and verdicts which are announced relative to those cases, are signed only by the President and Secretary.

ARTICLE 130

Subject cases are decided in the order as they came into the Court, except those which the President or his Deputy deem as urgent and as more important and which are placed on the agenda.

ARTICLE 131

The President sorts out all the cases reported to the court for adjudication. He opens and closes meetings, and conducts the business of discussion and adjudication, seeing to it that all business does belong to the sphere of the Ecclesiastical Court, and are completely completed, expedited in the prescribed time.

ARTICLE 132

In the area of administration of internal church affairs, the Diocesan Ecclesiastical Court works according to the instruction of the Diocesan Bishop.

ARTICLE 133

On the subject of transgressions of priests, the Diocesan Bishop, after completing necessary investigation through His organs, makes a decision if he tends that the subject matter comes within his jurisdiction, on the contrary, he hands the subject to the Diocesan Ecclesiastical Court for action.

ARTICLE 134

The Diocesan Ecclesiastical Court—

(a) As judicial organ:

1) Judges transgressions of priests of both orders;
2) Judges transgressions of the faithful which may call for expulsion from the church community for a certain period or permanently;
3) Judges, within its jurisdiction, conflicts on the validity, annulment and divorce of a church marriage;
4) Decides on disputes between priests, as well as disputes about parish income, and about real estate and other church property which is directed for the support of the clergy.

(b) As an organ of the Diocesan Bishop for the affairs of internal church government:

1) It supervises, at the direction of the Bishop, the parish clergy, parish offices, and Bishop's vicariates;
2) Announces and executes decisions of the higher Church authorities;
3) Assists the Diocesan Bishop in all the affairs of the direction and rule of the Diocese, and executes his orders in these affairs which belong to his personal jurisdictions;

4) Takes care of, in accordance with this Constitution, about the inventory of the Diocese in cases of transfer, pensioning, or the death of the Diocesan Bishop;
5) Brings about decision regarding any changes in Church Record Books.

ARTICLE 135

The decisions of the Diocesan Ecclesiastical Courts which are not subject to review by higher authorities are final, and they are executed by the subordinate Ecclesiastical organs.

8. THE DIOCESAN COUNCIL

ARTICLE 136

The Diocesan council is the representative body which deals with the affairs of the diocesan ecclesiastical autonomy.

ARTICLE 137

The Diocesan council is comprised of:

a) The Diocesan Bishop or his deputy;
b) Two members of the Diocesan Ecclesiastical Court;
c) One priest-monk;
d) One clergyman and one layman from each of the districts of the diocese;
e) Five laymen who are appointed by the Diocesan Bishop by agreement with the Ecclesiastical Court and the Diocesan Executive Committee.

Members of the clergy are appointed by the Holy Synod of Bishops, and Members of the layity are appointed by the Patriarchal Executive Committee, both groups of which are nominated by the jurisdictional Bishop.

Alternates for members under (c) and (d) in the same number and in the same prescribed manner, and for those under (d) from the same diocesan district.

ARTICLE 138

The president of the Diocesan Council is the Diocesan Bishop or his deputy, if the Bishop cannot attend the meetings at all.

In case the Bishop might be temporarily unable to preside at the meetings in the course of work by the Diocesan Council, he is substituted in presiding by the vice-president of the council.

The Vice-President from among the lay members, and two secretaries—one a clergyman, and one layman, are elected by the Diocesan Council amongst themselves by simple majority of votes.

ARTICLE 139

The mandate of the Diocesan Council members is for six years. The Diocesan Council is summoned by the Diocesan Bishop, i.e., administrator, into session at least once yearly in regular session, and in special sessions according to the need.

ARTICLE 140

The Diocesan Council may render valid decisions when a simple majority of members is present, and it renders decisions by majority votes. In case of a tie, the vote of the presiding member decides.

The Minutes of the Diocesan Council are signed by the president, secretaries, and by the two members of the Council elected by the Council for this purpose.

ARTICLE 141

The Diocesan Council, in addition to other functions prescribed by this Constitution has under its jurisdiction:

1) Concerns itself with ways and means for satisfying the material needs of the diocese;

2) Submits an estimate of income and disbursements annually for the needs of the diocese, compiles the final accounting, and sends them for approval to the Patriarchal Executive Committee.

3) For the needs of the Diocese sets the amount of assessments of church congregations and monasteries, and submits such decisions to the Patriarchal Executive Committee, which approves them in conjunction with the Holy Synod of Bishops;

4) Renders decisions concerning the incurring of debts and alienating of Diocesan properties, and submits them for approval to the Patriarchal Executive Committee if up to 2,000,000 dinars, and to the Patriarchal Council if over that amount;

5) Renders final decisions in the writing off of accounts which are due to the diocese, and for which it be proven that they cannot be collected, and of recording the disbursement of items of property—to wit: the writing off of accounts up to 50,000 dinars; the disbursement of things up to 100.000 dinars, while anything over these sums it submits its decision to the Patriarchal Executive Council for approval;

6) Decides concerning the initiating and cessation of law-suits, as also of reaching settlements with regard to diocesan property, but if the value of the suit, i.e., the settlement, be greater than 200.00 dinars, submits its decision for approval to the Patriarchal Executive Committee:

7) Issues directives, according to the regulations prescribed by the Patriachal Council, concerning the governing, handling and control of diocesan benefices, funds, memorial-bequests (foundations) and other various institutions;

8) Establishes diocesan funds and religious, benevolent, church-educational and other beneficial institutions and foundations:

9) Selects from its midst regular members for the Diocesan Executive Committee and their alternates;

10) Submits to higher jurisdictional and ecclesiastical authorities petitions, proposals and suggestions concerning the subjects and needs which affect the concerned diocese or the entire Church;

11) Submits to the Patriarchal Executive Committee a report of its work.

ARTICLE 142

In case it be impossible to summon the Diocesan Council, the opinions on urgent and important subjects can be sought from members of the council in writing.

ARTICLE 143

If a member of the Diocesan Council does not respond to an invitation and does not attend two consecutive meetings, the Bishop shall nominate in his place to the Holy Synod of Bishops, i.e., the Patriarchal Executive Committee, another person as member of the Diocesan Council, relevant to (Article 137-c) of the Constitution, i.e., he shall name the appointee in agreement with the Ecclesiastical Court and Diocesan Executive Board (Article 137-e) of the Constitution.

9. THE DIOCESAN EXECUTIVE BOARD

ARTICLE 144

The Diocesan Executive Committee is the executive (governing and controlling) authority in matters of external church government in the diocese and the executive organ of the Diocesan Council.

ARTICLE 145

The Diocesan Executive Committee is comprised of:

a) The Diocesan Bishop or his deputy;
b) One person of the monastic order;
c) Three members of the clergy;
d) Six laymen;

(Members under (b), (c), and (d) have the same number of alternates

ARTICLE 146

Regular members and alternates of the Diocesan Executive Committee are elected by the Diocesan Council for a term of six years. They are obliged to perform their duties until the appointment and installation of the newly-elected members of the Diocesan Executive Committee.

ARTICLE 147

The President of the Diocesan Executive Committee is the Diocesan Bishop or his deputy.

The Diocesan Executive Board elects its vice-president from among the regular members of laymen, if possible one who resides in the place of headquarters of the committee, or from a near-by community, and for secretary, a person with the necessary qualifications.

ARTICLE 148

The members and the secretary of the Diocesan Executive Committee may not be relatives as described in (Article 75).

ARTICLE 149

The Diocesan Bishop, i.e., the administrator of the diocese, summons the regular meetings of the Committee at the see of the diocese semi-annually, and in special session in the following cases:

a) When so determined by the president;
b) When so requested by at least one half the members of the Diocesan Executive Committee in writing, indicating the subject concerning which such a special meeting is being requested.

ARTICLE 150

Any member of the Committee who is prevented to comply with an invitation to attend a meeting is obliged to give timely notice to the president, who shall in turn and in case of need, invite an alternate to take the absent members place.

If a member of the Diocesan Executive Committee, i.e., a member alternate, neglects his duty and fails for three consecutive times to attend a meeting, the Diocesan Council shall at its first meeting elect another member in his place, i.e., alternate.

ARTICLE 151

In order that valid decisions be rendered, it is necessary that over half of the members of the Committee participate in its meeting.

Decisions are rendered by a simple majority of votes of members present. In case of a tie, the vote of the presiding officer decides.

The Minutes of the Diocesan Executive Committee are signed by the president, secretary and the two members of the Diocesan Executive Committee who were elected for this purpose (one clergyman and one layman).

ARTICLE 152

Matters which are of an urgent nature and cannot be postponed, are decided upon in presidium, or in smaller committee, comprised of: The Bishop or his deputy, one clergyman and one layman, from the headquarters see of Diocese or from a nearby community, which is elected by the Diocesan Executive Board from among its midst. Presiduim decisions and decisions of this smaller committee are submitted for supplemental approval to the Diocesan Executive Board.

ARTICLE 153

The Diocesan Executive Committee, in addition to functions prescribed by this Constitution has in its jurisdiction:

1) To be concerned about the material ways and means for the religious, benevolent, spiritual-educational and other beneficial institutions and foundations in the Diocese;

2) Governs and handles the benefices, funds and memorial bequests (foundations) of the Diocese according to church regulations;

3) Prepares an annual estimate of disbursements and incomes and final account for the needs of the Diocese and submits them to the Diocesan Council which approves the estimates and final accounts and submits them to the Patriarchal Executive Committee for final approval;

4) Oversees all church self-governing organs in the Diocese in the performance of their duties and towards this end dispatches when needed its representatives with necessary directives; and exercises control over those benefices, funds, memorial-bequests (foundations) which are entrusted for governing and handling to lower church-self-governing organs in the Diocese;

5) Examines and approves estimated disbursements and incomes of church congregations and monasteries;

6) Endeavors that accurate inventories be kept of church and church-self-governing properties in the Diocese, that all real property be provided with the prescribed legal proofs of ownership, and that all buildings and properties be insured against fire and other inclemency of the elements;

7) To forward with its opinion the decisions of Church-Congregational Councils dealing with the alienating and mortgaging of church property up to the amount of 2,000.00 dinars to the Patriarchal Executive Committee for approval, and over that sum, to the Patriarchal Council for approval;

8) Approves decisions of the Church-Congregational Councils concerning the writing off of accounts, which cannot be collected from the creditor, up to 50.000 dinars, and concerning the expendable items up to 100.000 dinars, and for sums over those amounts forwards such decisions with an opinion for approval by the Patriarchal Executive Committee.

9) Renders final decisions concerning the leasing of Diocesan properties up to 200.000 dinars, and approves such decisions of Church-Congregational Councils, and sums over that amount forwards its decision, or the decision of the Church-Congregational Council, for approval to the Patriarchal Executive Committee;

10) Approves decisions of Church-Congregational Councils concerning the initiating or cessation of litigations, as also concerning settlements relative to Church-Congregational properties, but if the value of the litigation or settlement is more than 200.000 dinars, forwards its decisions with its opinion for approval to the Patriarchal Executive Committee:

11) Approves the buliding of new buildings and greater repairs in church congregations;

12) Appoints when needed, in agreement with the Diocesan Ecclesiastical Court, a defense attorney for legal affairs in the Diocese;

13) As the first degree authority decides administrative disputes in the Diocese, in-so-far as they pertain *to external church government,* and decides upon the petitions and decisions of sub-ordinate organs;

14) Prepares and submits to the Diocesan Council a report of its work for the Patriarchal Executive Committee;

15) Determines the election day for Church-Congregational Councils;

16) Executes and announces the decisions, orders, and directives of the Diocesan Council and the Patriarchal Executive Committee;

17) Prepares a report and suggestions to the Diocesan Council;

18) Decides concerning the alienating and mortgaging of monastery properties as also the writing off of accounts and of writing off expendible items relative to (Article 212-2):

19) Concerns itself, together with the Ecclesiastical Court, that the necessary and possible trades and husbandry be developed in the monasteries.

ARTICLE 154

Every Diocese according to need can have its attorney with the qualifications of a judge in civil court, who is at the same time the attorney for affairs of the Diocesan Council and the executive of the said Diocese.

The Diocesan attorney represents the interests of the Diocese before the authorities in legal and judicial matters, and is obliged, upon request of either the Diocesan Ecclesiastical Court or the Diocesan Council and Committee, to give them has legal opinions.

ARTICLE 155

All decisions of the Diocesan Council and the Diocesan Executive Committee, rendered at meetings which were not presided over by the Bishop, i.e., administrator, are submitted to the Bishop, i.e., the administrator, for examination and approval.

ARTICLE 156

If the Diocesan Bishop, i.e., the administrator, is convinced that some decision or the Diocesan Council and the Diocesan Executive Committee is against church regulations, or that it is not in agreement with the fundamental teachings of the Orthodox Church, he is obliged to suspend the execution of such a decision and return the subject for renewal of decision. If even then an agreement cannot be reached, the Bishop, i.e., the administrator, directs the said subject to the Patriarchal Executive Committee for consideration and decision, and consequently in case of necessity that here too, the provision from (Article 97) of the Constitution be applied.

ARTICLE 157

The Diocesan Bishop may in cases of necessity for important diocesan matters convene the Diocesan Ecclesiastical Court and the Diocesan Executive Committee, in a joint meeting for counciling and decision.

ARTICLE 158

The clerks of the Diocesan Ecclesiastical Court and the Diocesan Executive Committee, are obliged to perform all work services of the Ecclesiastical Court, and the Diocesan Executive Committee, which the Bishop may order; in case of need, the Bishop may entrust to the clerks of one of these tow diocesan church bodies work-services which belong in the sphere of one or the other of these two bodies.

10. BISHOP'S DISTRICT DEPUTY (Vicar-General)

ARTICLE 159

The position of Bishop's District Deputy (vicar-general) may be held by member of the priesthood who:

a) Has completed satisfactorily the regular or higher theological school;
b) Has shown zeal in the performance of parochial or other church duties;
c) Is of good comportment and leads an exemplary life;
d) Has spent at least ten years in parochial or some other church services, but if he has higher theological training, at least five years.

ARTICLE 160

The Bishop's district deputy is appointed and relieved by the Diocesan Bishop.

ARTICLE 161

The Bishop's district deputy may have an assistant, a member of the priesthood, to assist him in all parochial and chancery duties as needed.

The Assistant is appointed and relieved by the Diocesan Bishop; The assistant has his own parish.

ARTICLE 162

In his district, the Bishop's district deputy (vicar-general), is obliged according to his jurisdiction:

1) To be concerned with the purity and strengthening of the Orthodox faith, with the proper and regular preaching, with the religio-moral development and education of the faithful;

2) To subdue all movements and actions directed against Orthodoxy and the interests of the Church;

3) To see to the preservation and encouragement of good customs, and of subduing and up-rooting harmful habits and vices among the people;

4) To endeavor that religio-benevolent and spiritual-educational foundations be organized in his jurisdiction, in accordance with local circumstances and needs, concerning which he gives his proposals and opinions to the Diocesan Bishop;

5) To see that divine worship be properly and regularly conducted, and that beauty, dignity and good order prevails in the churches;

6) To see that churches are properly furnished with necessary utencils and articles, and that parish offices are provided with proper official record books;

7) Oversees that the clergy perform their duties and behave in accordance with the requirements of the priestly calling, and that love, unity and mutual cooperation prevails among the priests;

8) Endeavors to remove every misunderstanding among the priests, to discuss lesser disagreements among them and to keep peace among them, and to forward greater disagreements to higher authorities;

9) To visit at least once a year all the parishes in his jurisdiction, at which time he carefully examines and oversees the pastoral, religious-educational, and administrative work of the parish clergy, also the work of the Church-Congregational-Councils and Church-Congregational Committees, and to submit as a result of his examination an accurate and detailed report with his remarks and suggestions to the appropriate diocesan authority;

10) To carry out investigations, upon direction from diocesan authorities, dealing with disciplinary and transgressionary matters and with the administrative affairs of the clergy, parochial offices, Church-Congregational-Councils and Church-Congregational Committees, as also of individuals;

11) To executive and announce all decisions, directives and orders of the Diocesan Bishop and diocesan authorities;

12) To mediate estranged couples, and decides concerning the abrogation of premarital examinations;

13) Keeps an accounting of clergy comportment in his district and submits an annual report of the same to the Jurisdictional Bishop;

14) Admonishes the clergy for neglect of official duties.

15) Authorizes leaves (vacations) for subordinate clergy for up to ten days annually of which he informs the Diocesan Bishop, while requests for longer vacations he forwards with his opinion to the Diocesan Bishop;

ARTICLE 162

16) Appoints temporary substitutes for vacationing, ill, and deceased parish priests until further orders from the Diocesan Bishop;

17) To call upon his own discretion or upon request of the clergy, and with prior consent of the Diocesan Bishop, gatherings of the clergy for fraternal discussions on

the needs and betterment of the Church, of pastoral duties, and of how to better strengthen in the believers the Orthodox faith, religious-moral feelings and attitudes, mutual love, patriotism, spiritual, education, and Christian virtues;

18) To submit an annual report with his opinions and suggestions to the Diocesan Bishop on the state of the churches and the church-pastoral work of the priests, and of his own work.

ARTICLE 163

The Bishop's District Deputy may take leave of his duties only with the knowledge and consent of his jurisdictional Bishop, who shall in such case appoint his substitute.

11. RECTOR

ARTICLE 164

At the head of every parish is the rector, who must reside in his parish, and who cannot distance himself from the place of his service without the knowledge and concent of the appropriate church authorities.

The calling of Rector may be permanent or temporary, both of which are appointees of the Diocesan Bishop.

ARTICLE 165

Any person may be appointed as temporary rector (parish priest who has completed the higher or regular theological school, and who has no cannonical impediments for Holy Orders.

To the position of permanent parish priest (rector) may be appointed that member of the clergy who has spent at least three years as an ordained priest or deacon, and who has passed the prescribed examination of practice, or who has been granted waivers of these requirements.

ARTICLE 166

The filling of a vacant parish with a permanent priest is done by concourse, which the Diocesan Bishop publishes in the official journal of the Serbian Orthodox Church.

Candidates with the qualifications above stated apply and submit the necessary documents to the Diocesan Bishop.

ARTICLE 167

Members of the priesthood with higher theological training are privileged to take the examination of practice for the post of permanent parish priest after two years of temporary parochial or diaconate service.

ARTICLE 168

The examination of practice for permanent parish priest is according to the regulations prescribed by the Holy Council of Bishops.

ARTICLE 169

The following are exempt from the examination of practice:

Professors of theological faculties and seminaries, teachers of religion who have passed the catechetical examination, members and secretaries of ecclesiastical courts, clerks of the Supreme Ecclesiastical Court, and higher clerks of the Holy Synod of Bishops, the Patriarchal Executive Committee and Diocesan Executive Committees, provided they have been ordained priests and occupied these positions for at least three years.

ARTICLE 170

By regulation parochial duties are performed by the white clergy, however, in case of a shortage of these, and where exceptional conditions require, the Diocesan Bishop may entrust the servicing of a parish to priest-monks, i.e., to the monastery brotherhood. Priest-monks who service parishes are supported by their monasteries, to which are due all incomes from those parishes.

ARTICLE 171

Where there are several parish priests attached to one church, the Diocesan Bishop appoints one of them as the elder of the church, who at the same time is in charge of the office of the parish jurisdiction. The head rector is responsible for order in the church and office of the parish jurisdiction.

ARTICLE 172

The Bishop may remove a permanent priest from a parish or transfer him only upon his own request or consent, or by judgment of the Jurisdictional Ecclesiastical Court.

The Bishop may transfer temporary parish priests according to need of services.

ARTICLE 173

Every parish may have a deacon. It is obligatory for the Bishop's cathedral and those churches so directed by appropriate Diocesan authorities to have a deacon.

Deacons are obliged to assist the rector (elder of the church) in the conducting of church administration, and are subordinated to him officially.

ARTICLE 174

Deacons are appointed in the same manner as temporary parish priests from among those who fulfill the conditions described in (Article 165). Years spent in the diaconate are recognized as years having been spent in parochial duties.

In addition to benefits from the church, deacons also have the right to benefits (stipends) as other clergy for participation in funerals and marriages.

ARTICLE 175

Every rector performs his parochial duties and fulfills his office duties independently, but concerning his official work he is under the direct supervision of the elder (first rector) of the church and the jurisdictional Bishop's district deputy (vicar-general), and under the supreme supervision and direction of his Diocesan Bishop.

ARTICLE 176

The Rector has basically the following duties:

1) He serves his parishoners as a good example in his personal and family life;

2) He regularly preaches the word of God and instructs his parishoners in the Church and at every good opportunity;

3) He serves regularly the Divine Liturgy and the daily church office, he administers the Holy Mysteries and sacramental rites for his parishoners in the Church and in the parish according to the regulations of the holy canons, church laws and rules of the church authorities;

4) He conducts general intercessions, thanksgiving services and requeim memorial services according to the church regulations and directives of church authorities;

5) He conducts processions and the carrying of the cross with hallowing of water in those places and where and how the custom prevails, he conducts prayers at the beginning and closing of the school year, performs the cutting of the Patron Saint "Kolac" on the Church "Slava" and on the feast of St. Sava, with the blessing of water;

6) He announces to the congregation in Church, the holidays that are celebrated and explains their significance;

7) Administers the religious-moral education and development of Orthodox youth out of school, and conducts religious classes in the schools, if they do not have a permanent teacher of religion;

8) He sees to the good order, pious and proper reading and chanting during divine-services, and to the cleanliness and graceful beauty in the churches and makes arrangements in this regard, as of also concerning the use, acquisition and maintenance of vestments, church vessels and utencils, service books, and especially concerning the support and maintenance of the cemetery and other consecrated places and church antiquities;

9) He takes care of the library of his church, of the spreading of religio-moral books among the parishioners, and zealously subdues the spreading of writings whose content is against the teachings of the Orthodox faith and morals;

10) He visits his parishoners to give pastoral counsel, and directs them unto christian benevolence; and in agreement with the Church-Congregational Council, he strives toward the organization of benevolent services and the founding of church-benevolent foundations;

11) He repels faithless and unorthodox propaganda and informs the Bishop's District Deputy of every attempt and manifestation directed against the faith, and in important cases also the Diocesan Bishop; he repels illigetimate living, drunkeness, blasphemy, cursing and all other bad habits among the people;

12) Reconciles quarreling and estranged couples;

13) Fulfills on time and decisions and directives of his superior authorities;

14) He keeps accurate and up-to-date, the record books of baptisms, pre-marital examinations, marriages and deaths, together with a parish register of homes, and other official books, keeping them in good condition and order; he issues excerpts and certificates, either by request of individuals or by official duty, and in accordance with the regulations regularly sends annual reports and statistical data concerning the status of the parish to the Diocesan Ecclesiastical Court;

15) Keeps a record chronical of his parish;

16) Appoints and dismisses the church sexton and chanter by agreement with the Church-Congregational Committee; instructs them, directs and supervises them in their work; in the event of a disagreement between the rector and the Church-Congregational Committee on the question of the canter and church-sexton, the dispute is decided with finality by the Diocesan Bishop.

ARTICLE 177

The position of permanent parish priest becomes vacant by transfer to another church service (duty), transfer by request, consent or judgment, by loss of the parish, retirement, and death.

An arbitrary absense from parochical duties for a period of longer than 15 days, or by not assuming the duties by the 21st day after having been appointed or transferred draws the penalty of loss of parish.

ARTICLE 178

In every Church congregation there exists a religious-benevolent Trustee-ship whose function is to disseminate religious and church consciosuenss and christian charity, as well as for other activities of the internal mission of the church. This trusteeship is appointed by the diocesan Bishop from the ranks of the faithful of both sexes. It is an organ of the Church-congregational Committee. The Religio-benevolent trusteeship has its fund, which is derived from the donations of the faithful and from aid which is given by the Church congregation. Further regulations dealing with the sphere of activity of the religio-benevolent trusteeship and the handling of his fund are prescribed in a special by-laws which was issued by the Holy Council of Bishops under AS No. 136/Min. of Sept. 13/26, 1932.

12. CHURCH-CONGREGATIONAL COUNCIL and the CHURCH-CONGREATIONAL EXECUTIVE COMMITTEE (Board)

a) Church-congregational Council

ARTICLE 179

The Church-congregational council is elected by the male and female members of the church congregation who are 21 years of age, and who have not lost church voting privileges.

ARTICLE 180

ELECTION RIGHTS at elections of the Church-congregational council is lost by the person:

1) who is not of a pious and moral life;

2) who consciously does not fulfill his church-religious duties and who does not fulfill his obligations toward the Church, family and his neighbors;

3) who, because of criminal activities in general, or because of some other criminal act, if such act was committed for self-interests or against the faith or against public morals, is under investigation, or who has been judged and sentenced, for the duration of the consequences of that judgment;

4) who lives in illigitimacy, or who is in a married state which has not been blessed by the Church;

5) who is under judgment or the consequences of a judgment decreed by church authorities;

6) who is under a guardianship or seizure;

7) who is under suspension by the regulations of this Constitution from the Church-congregational council or the Church-congregational executive committee, for the period of time as determined by the Diocesan Executive Committee;

8) who is a member of any society or organization whose work is directed against the Orthodox faith and the interests of the Orthodox Church.

Conditions stated in points 1, 2, and 8 are determined by decision of the Diocesan Executive committee upon considering grievance against the election slate.

ARTICLE 181

Every parish keeps a list of electors in accordance with provisions of this Constitution. This list is compiled by the Rector together with the Church-congregational Executive Committee, and based upon the parish books, each year during the first half of the month of May.

The list contains the name and sur-name, date of birth, occupation and address of every elector.

The list is publicly displayed for review in the parish office for 14 days of the second half of the month of May, concerning which parishoners are informed by announcement on the church doors, and by vocal announcement by the priest in church. Every parishoner can, while the list is displayed, make his remarks in writing to the Church-congregational executive committee, which shall render a decision within 8 days. This decision can be appealed within 15 days of the day it was issued to the Diocesan Executive committee through the Church-congregational executive committee. The diocesan Executive Committee's decision is final.

The list is made in duplicate, one of which remains in the parish office, while the other is submitted to the Diocesan Executive Committee.

ARTICLE 182

The Church-congregational Council consists of from 24 to 60 members, and one half as many alternates, according to the number of faithful. The number of members is determined by the Diocesan Executive Committee.

All rectors in charge of churches are members of the Church-congregational council ex-officio.

The number of members of Church-congregational councils, according to the number of orthodox souls in the church congregations shall be: for up to 2000 souls, 24 members and 12 alternates; up to 4000 souls—30 members and 15 alternates; from 4 to 6000 souls—40 members and 20 alternates; and over 6000, 60 members and 30 alternates.

This number can be, if necessity indicates, either lowered or raised by the diocesan Bishop in agreement with the Diocesan executive committee.

ARTICLE 183

Every member, male and female, of the parish can be elected to the Church-congregational council who:

1) meets all the conditions of an elector in the church-congregation;

2) who is at least 25 years of age;

3) who is a citizen of Jugoslavia;

4) who resides in the said church congregation for at least one year.

ARTICLE 184

The Church-congregational council is elected for a term of six years, and meets in the headquarters of the church congregation in regular session twice a year. In these sessions, in addition to other business, it prepares an estimate and examines the concluded accounts.

The Church-congregational council meets in special session:

a) when so decided by the Church-congregational executive committee;

b) When a majority of the members of the church-congregational council requests it in writing, indicating the subjects to be considered;

c) when so ordered by the Diocesan Executive Committee;

In cases under points b) and c), the meeting must be called within 30 days.

ARTICLE 185

To elect members of the Church-congregational council, the electors meet on the appointed day at the headquarters of the church congregation.

The day & place of the election is determined by the Diocesan executive committee upon a hearing of the Church-congregational executive committee. The vacancies of membership in the Church-congregational council are filled by alternates.

ARTICLE 186

The electors are summoned by the Church-congregational executive committee, and the oldest priest by rank, i.e., according to ordaination, the rector (head of the church), presides, who nominates the secretary and two literate electors, together with whom the legitimacy of voters is determined, counting of ballots, and verifies the minutes of the election.

The election is conducted by slate, to wit: by acclamation or by individual oral voting.

A slate of candidates must be signed by at least as many electors, as one half of the total number of church-congregational councilmen to be elected. No one person can sign more than one slate.

Prior to authorization of the slate, the candidates and alternates appearing on the slate must personally give to the Church-congregational committee their written consent that they accept the nomination.

Voting, both for members of the Church-congregational council and their alternates, is conducted at the same time.

ARTICLE 187

Upon completion of the election, the president announces the results of the election.

The president shall submit a notarized copy of the minutes of the election to the Diocesan Executive Committee with eight days from the day of election.

Grievances to the election are submitted through the president within eight days of the day of election to the Diocesan executive committee which renders the final decision.

ARTICLE 188

The elected members of the Church-congregational council is summoned to a meeting by the president of the election who presides at the same, for the purpose of constituting, and before whom all members except clergy take the oath (article 39).

After taking the oath, the Church-congregational council elects by secret vote its president, vice president and secretary.

The rector (eldest head of the church) is the honorary president of the Church-congregational council.

ARTICLE 189

Upon becoming constituted, the Church-congregational council immediately proceeds to the election of the Church-congregational executive committee by secret ballot.

The minutes of the council's being constituted, and of the election of the Church-congregation executive committee must be submitted in notarized copy within eight days after the election to the Diocesan executive committee for examination and approval.

ARTICLE 190

The church-congregational council can render valid decisions if there be present at a meeting more than one half of its members.

Decisions are rendered by majority vote of those present. In case of tie, the presiding voice decides.

If at the first meeting a quorum of members to render valid decisions is not present, the meeting is postponed for eight days, at which time valid decisions can be rendered by as many members as there be present. This must be expressly stated in the summons to the meeting.

ARTICLE 191

The Church-congregational Council performs these functions:

1) prepares the annual estimate of income and disbursements, and approves the final bill for various needs of the church congregation, and sends them to the Diocesan executive committee for final approval (art. 153, #5);

2) renders decisions concerning the mortgaging and alienating of Church-congregational property, and forwards them through the Diocesan executive committee for approval up to the sum of 2,000,000 dinars to the Patriarchal executive committee, and over that sum to the Patriarchal council;

3) renders decisions concerning the writing off of accounts due the Church-congregational which cannot be collected from the creditor, and concerning the dispensing of expendible items of that property and forwards them to the Diocesan executive committee which decisions for writing off accounts to 50,000 dinars and of dispensing expendibles up to 100,000 dinars it approves; while with sums over those amounts it forwards with is opinion for approval to the Patriarchal executive committee;

4) renders decisions concerning the initiating or cessation of litigations, and of terms of settlement, and forwards them to the Diocesan executive committe which gives final approval up to value of 200,000 dinars, and over that sum forwards them on with an opinion to the Patriarchal executive committee for approval;

5) renders decisions of leasing and submits them for approval to the Diocesan executive committee, which gives final approval up to sum of 200,000 dinars, and over that sum forwards them with an opinion to the Patriarchal executive committee for approval;

6) renders decisions concerning the assessing of members of its church congregation for the needs of its church congregation, the diocese, and for the general needs of the Church;

7) with the approval of the appropriate diocesan authorities, decides upon the proposals of the church-congregational executive committee concerning the maintenance, renewal and building of churches, parish houses, church-congregational, fund, memorial bequest (foundation) buildings, and in general concerning the establishing of institutions in its jurisdiction;

8) establishes within the limits of this Constitution and directives of higher church authorities positions of its employees, and determines their benefits;

9) submits suggestions, petitions and proposals to the appropriate diocesan authorities concerning its needs;

10) in accordance with directives and orders of higher church authorities, takes care of the support of the rector and parish.

ARTICLE 192

Should the church-congregational council not fulfill its duty, or not submit to the orders of established authorized authorities, or over-step the limits of its sphere, and in case that such disorder arise in its midst to hinder the proper functioning of the council, the Diocesan Executive Committee, upon a grievance or by official duty, directs that an investigation of the matter be made.

The Diocesan executive committee may exclude the guilty parties from the Church-congregational council, and if necessary, suspend further activity of the Church-congregational council, transferring such activities to the Church-congregational executive committee. This temporary status may continue until the Diocesan Executive committee becomes convinced that proper and regular functioning of the Church-congregational council can be renewed.

ARTICLE 193

In case of absolute necessity, the filling of vacancies in the Church-congregational council up to one third of the total number of members is conducted by rotation under the chairmanship of persons designated by the Diocesan Executive Committee. The Diocesan executive board is authorized to give approval for this.

b) CHURCH-CONGREGATIONAL EXECUTIVE COMMITTEE

ARTICLE 194

The church-congregational executive committee is comprised of from 6 to 12 members, according to the number of members in the Church-congregational council, and other conditions in the church congregation.

The president and vice-president of the Church-congregational council are members of the Church-congregational Executive Committee in the same capacity ex-officio, as also the rector, i.e., the eldest head of the church, who is a member of the Church-congregational council. The remaining members of the Church-congregational executive committee and a like number of alternates are elected by the Church-congregational council for a term of six years from among its own midst.

ARTICLE 195

The number of members for Church-congregational executive committees for the various church congregations is determined by the Diocesan executive committee.

ARTICLE 196

The Church-congregational executive committee elects the secretary, treasurer, and the necessary number of sextons, if need be also from persons not in their midst.

ARTICLE 197

Persons who are in the degrees of relationship as stated in ARTICLE 75 cannot be elected to serve at the same time in the Church-congregational Executive Committee.

ARTICLE 198

An elected member of the Church-congregational executive committee continues to remain a member of the Church-congregational council.

ARTICLE 199

The church-congregational executive committee meets at the invitation of the president in sessions at least once every two months, and more often according to necessity.

Upon the demand of a majority of the members, the president is obliged to summon a meeting of the Executive committee. In that demand, the subject must be explicitly stated as to why the meeting should be called.

ARTICLE 200

The church-congregational executive committee may render valid decisions if a majority of the members are present at the meeting. Decisions are rendered by simple majority of votes of members present. In case of tie, the president's vote decides.

ARTICLE 201

The duties of the Church-congregational Executive Committee are mainly these:

1) to preserve and defend the dignity and interests of the church and church-congregation;

2) to assist ecclesiastical authority in the religio-moral and cultural-educational rearing and training of the adherents of the Orthodox Church, especially the youth, in the preservation and nourishment of beneficial and nice customs, as also in the uprooting of bad and harmful habits;

3) fulfills the decisions of the Church-congregational council and directives of the authorized church authorities;

4) cooperates with the Rector in the comilation of church electoral lists;

5) hires and dismisses church-congregational official personnel, except the church cantor and the church-sexton (ARTICLE 176 point 16);

6) watches that those who enjoy the use of the church goods keep them in good order;

7) compiles an inventory of expendible and real estate properties, submitting one copy every year to the Diocesan executive committee;

8) governs the church property and sees to its advancement; exercises care that the properties of funds, memorial bequests (foundations) are used in accordance with their designated purposes;

9) secures the legal documents dealing with the right of possession of church real estate, and insures them against fire, and where necessary against other catastrophies;

10) in agreement with the rector, to care about the securing of necessary means for the conducting of divine worship, the maintenance, securement and decoration of

churches, parish houses, belfrys, the cemetery and landscape; takes care about obtaining the means and preparing estimates and plans, which are submitted to the Church-congregational council, and then to the diocesan authorities for final approval, for the building and erecting of new churches, parish houses and other church-congregational structures;

11) takes care of the regular payment of taxes and other obligatory assessments required by law;

12) examines every three months, and more often if necessary, the accounts of the treasurer and tutors, also of other accountable persons, and endeavors to see that they fulfill their duties accurately and conscienciously;

13) compiles and proposes to the Church-congregational council the annual estimates and receipts and disbursements, and also collects and compiles the final accounts, and submits them with inventories to the Church-congregational council for examination and further action;

14) makes suggestions, petitions and proposals to higher church authorities concerning all its needs;

15) submits at the end of the year a report of its work to the Church-congregational council, and

16) takes care that surplus funds do not lie dormant in the church treasury, but that they be used in the most advantageous and secure manner for the interests of the Church; the amount of the sum that can be kept in the treasury is decided by the board itself according to its needs.

ARTICLE 202

In cases when the Church-congregational council deliberates concerning accounts or accountableness because of some irregularity or carelessness of the Church-congregational executive committee, this committee is obliged to give the Council all necessary explanations, but it cannot participate or vote in the bringing of decisions dealing with these subjects. In such a case the honorary president of the Church-congregational Council presides.

If the Church-congregational council is deliberating on the accountableness because of some irregularity or neglect of the Church-congregational executive committee in whose work the rector participated, and did not at that time take exception by giving his opinion, the rector cannot preside at that meeting of the Council, but in such a case the oldest member in age of the council presides.

c) REGULATIONS COMMON TO BOTH THE CHURCH-CONGREGATIONAL COUNCIL AND EXECUTIVE COMMITTEE

ARTICLE 203

The Rector, i.e., the head of the church, is obliged to actively cooperate with the members of the Church-congregational council and committee in all activities (of an administrative and material nature) in his church congregation, and is co-responsible with them for all irregularities, if he did not in a given case expressly state his opinion against the irregular decisions and activities, and did not state a grievance to higher authorized church authorities.

The Rector (head of the church) is privileged to file a grievance with the higher authorities within 14 days against decisions of the Church-congregational council and Church-congregational committee which might be rendered contrary to church regulations or harmful to the religious and moral interests of the church, or against decisions in which his explained suggestions for satisfying the needs of the churches, cemeteries and other consecrated places were ignored.

ARTICLE 204

Service as members of the Church-congregational council and Church-congregational executive committee is honorary and is rendered without renumerations.

If a member of the Church-congregational executive committee should perform the duties of secretary or treasurer, he could be given in accordance with the amount of work a special honorarium for the performance of these duties, with the approval of the Diocesan Executive Committee.

ARTICLE 205

The Diocesan executive committee may, upon charges or by official duty, exclude from the Church-congregational council and executive committee any member who:

a) loses one of the conditions required by the regulations of this Constitution for membership in the Church-congregational council or executive committee;

b) neglects his duties and is absent from meetings three times in a row without legitimate excuse;

c) does not submit to directives of higher church authorities and hinders the execution of valid decisions.

ARTICLE 206

If the Church-congregational executive committee should neglect it's duties, or should it over-extend its authority, or not fulfill orders and directives of authorized higher church authorities, or finally, should there arise in it such divisions and disorders which hinder the successful and correct regular performance of work, and should the Church-congregational council not take measures against such work, the Diocesan executive board has the right to dissolve the Church-congregational council and the execution committee, and to appoint a special temporary trusteeship of from 5 to 12 members.

Similarly, it can dissolve the Church-congregational council and the executive committee and appoint a temporary trusteeship in the event that the number of members in these bodies becomes inadequate for its regular work.

The appointed temporary trusteeship shall conduct all activities of the Church-congregation until the election of a new Church-congregational council and executive committee.

The motion for dissolution of the Church-congregational council and committee and the appointing of a temporary trusteeship is submitted by the Rector, i.e., the head of the church, to the bishop's district deputy, who with his opinion submits the same to the Diocesan executive committee for decision. The decision of the Diocesan executive committee on this matter is final, against which there is no appeal.

The Diocesan executive committee may by official duty dissolve the Church-congregational council and church-congregational executive committee and appoint a trusteeship.

The Rector, i.e., the eldest head of the church, is always a member of the temorary trusteeship.

ARTICLE 207

The Diocesan Executive Committee is authorized to send its representative with necessary directives to any meeting of the Church-congregational council or Executive Committee meeting, both regular and special.

13. THE SUPERIOR AND BROTHERHOOD OF MONASTERIES

ARTICLE 208

Every priest-monk and monk (nuns) must belong to the brotherhood of one monastery.

All priest-monks and monks of the Serbian Orthodox Monasteries are under the direct control and authority of the monastery Superior; however, priest-monks and monks, who with the knowledge and consent of the jurisdictional Bishop perform church duties and live outside their monastery, are subordinated to the direct jurisdiction of the respective Bishop, but at all times remain in spiritual communion with their monastery. If they transfer to another diocese, they become attached to one of the monasteries located therein.

The Diocesan Bishop is the Supreme Superior and supervisor of all male and female monasteries and monastic brotherhoods in his diocese.

ARTICLE 209

In a monastery, where there are at least 3 members of the brotherhood, the superior governs with the help of the brotherhood.

All priest-monks and monks, both those who live in the monastery and those who because of their church duties live outside the monastery, are members of the monastery brotherhood.

ARTICLE 210

The superior of the monastery is the representative, direct governing and controlling authority of his monastery and brotherhood, the guardian of church and monastic rules, and executor of orders from higher church authorities.

The direct assistant and substitute of the Superior is the deputy.

ARTICLE 211

In the monastery which has more than four brothers, the brotherhood under the chairmanship of a representative of the Diocesan Bishop, nominates two candidates for each post of Superior and deputy, of which the diocesan Bishop appoints one Superior and one deputy.

In monasteries with less than four brothers, the superior and deputy are appointed by the Bishop.

In case of necessity, the Diocesan Bishop may appoint a temporary superior. He also dismisses him. A permanent superior can be dismissed from his post or transferred upon his explained petition, by his consent or judgment, except in the cases stated in ARTICLE 220.

ARTICLE 212

The Superior is obliged to live with the brotherhood and perform his duties according to the monastery Constitution. Besides his sphere of duties set forth in ARTICLE 213 (a special regulation), he performs these duties:

1) prepares for the various monastery needs and annual estimate of receipts and disbursements and compiles the concluding accounts and sends them for review with the Diocesan executive Committee, which approves the same in agreement with the Diocesan ecclesiastical court.

2) renders decisions concerning the alienating and mortgaging of monastery property and forwards them to the Diocesan executive committee, which in conjunction with the Ecclesiastical court forwards them with an opinion for approval to the Patriarchal executive committee if amount is up to 2,000,000 dinars; and over that amount to the Patriarchal council; The Patriarchal executive committee decides thereupon in agreement with the Holy Synod of Bishops, while the Patriarchal council by agreement with the Holy Assembly of Bishops;

3) decides concerning the writing off of debts which cannot be collected, and of disbursing of expendible items, forwarding them to the Diocesan executive committee—for debts up to 50,000 dinars; and the disbursement of expendibles to the amount of 100,000 dinars; while sums over that amount to the Patriarchal executive committee through the Diocesan executive board which forwards such decisions with its opinion; The Diocesan executive committee decisions are made by agreement with the Diocesan ecclesiastical court and the Patriarchal executive committee decisions in agreement with the Holy Synod of Bishops;

4) Renders decisions concerning the initiating or cessation of litigations, and of conditions of settlement, fowarding them for approval: to the Diocesan Executive Commit-

tee for sums up to 200,000 dinars, and over that amount to the Patriarchal executive committee through the diocesan executive committee which forwards them with its opinion; The Diocesan executive committee decides on such issues in agreement with the Diocesan ecclesiastical court, while the Patriarch executive committee decides upon such issues in agreement with the Holy Synod of Bishops.

5) renders decisions concerning the taking and giving under lease monastery properties, submitting them for approval: to the Diocesan Executive committee for values up to 200,000 dinars, and over that sum to the Patriarchal executive committee through the Diocesan executive committee, which forwards them with an opinion. The Diocesan executive committee decides such issues in agreement with the Diocesan ecclesiastical court, and the Patriarchal executive committee decides such issues in agreement with the Holy Synod of Bishops;

6) is concerned with the advancement of monastery properties, and that necessary and possible crafts and husbandry be developed.

ARTICLE 213

A special directive for the internal and external monastery life is prescribed by the Holy Assembly of Bishops.

• • •

III. CHURCH OFFENSES AND PENALTIES

ARTICLE 214

Offenses, according to canons and church regulations, which are investigated and judged by the competent church authorities are as follows:

a) Clergyman of secular and monastic order:

1. Offenses against faith and church teachings as well as church order;

2. Conduct which is unbecoming to priestly rank and position;

3. Failing to fulfill or careless performance of official priestly duties and lawful orders of the higher church authorities;

4. Insults and slanders which one clergyman does to another one;

5. Extortion of the exhorbitant fee for officiation;

6. Discussion and criticism in preaching and pronouncements of laws and orders of competent authorities and their actions.

ARTICLE 215

Offenses are investigated and judged by official duty or upon the basis of submitted charges.

ARTICLE 216

The Church penalties are these:

a) for ordained persons of both branches:

1) warning;
2) admonishment (rebuke);
3) penance as decreed;
4) transfer to another place of service;
5) temporary suspension of sacerdotal functions, maximum of one year;
6) loss of parish service, i.e., other callings in the Church;
7) lifetime suspension of sacerdotal functions;
8) deprival of Holy Orders—unfrocking;
9) dismissal from Holy Orders and exclusion (excommunication) from the church community; and
10) dismissal from monasticism;

b) for the laity:

1) temporary deprival of various rights and honors in the church;
2) exclusion (excommunication) from the church community for a fixed period of time; and
3) final exclusive (excommunication) from the church community.

ARTICLE 217

For ordained persons of both branches, the penalties of warning, rebuke, and penance up to fifteen days, and suspension from sacerdotal functions up to thirty days are pronounced by the diocesan Bishop, while penalties of transfer to another place, suspension of sacerdotal function for more than thirty days and other penalties are pronounced only by the appropriate Ecclesiastical Court. For the laity, the penalty of temporary deprival of various rights and honors in the church are pronounced by the jurisdictional Bishop, while the remaining penalties the jurisdictional Diocesan ecclesiastical court.

Penalties decreed by the diocesan Bishop are effective immediately (art 108, pt. 19), and penalties decreed by the Diocesan Eclessiastical court are subject to review and judgment of the Supreme Ecclesiastical Court according to ARTICLE 79.

ARTICLE 218

No one can be punished with any church penalty without prior hearing.

ARTICLE 219

Should a complaint be submitted against a clergyman for an offense which caused scandal among the people and is shameful for the clerical ranks, diocesan bishop may such a clergyman, immediately after the commencement of investigation, suspend from officiation until the verdict of the church court is rendered.

Bringing the decision of suspension of officiation, diocesan bishop may order that such clergyman be temporarily remunerated a one half of his salary.

Matters of this kind must be considered as urgent and the church court is obligated to make a decision within a period of one year.

ARTICLE 220

In a case of charge of misappropriation of funds, the accused may be removed from the administration by the diocesan bishop until his offenses are finally investigated and judged.

ARTICLE 221

Penalties of suspension from sacerdotal functions, regardless of duration, draw with them a cut in benefits to one half for the period of time the penalty is in effect. The substitute becomes the beneficiary.

ARTICLE 222

Penalties forseen under points 4 to 6 inclusive in ARTICLE 216, imply the halting of advancement in rank and benefits for a maximum of three years, according to the decision of the church authority which pronounced judgement.

This halting of advancement commences also when a priest is punished according to ARTICLE 216, points 1 through 3 in two consecutive years.

ARTICLE 223

Clergy who are in the service of the church, should they be suspended or ordered to temporary suspension of officiation, cease to perform functions of his office during pendency of suspension, and for all that time receive half of his remuneration.

ARTICLE 224

Regulations concerning church offenses and penalties are applicable also to retired ordained persons, insofar as they can be applied.

. . .

IV. CHURCH EDUCATION

ARTICLE 225

The Serbian Orthodox Church exercises care over the nourishment and development of ecclesiastical-educational activities and church art, and towards that end establishes and erects the necessary schools and foundations.

ARTICLE 226

For the training of the Serbian Orthodox clergy of both branches in the Serbian Orthodox Church, there exist higher and lower theological and monastic schools. These schools are established by the Holy Assembly of Bishops in agreement with the Patriarchal council, and closes them by its own decision.

The Serbian Orthodox Church provides for the teaching of religion in the elementary, middle and technical schools.

ARTICLE 227

Every Theological and monastic school has, where possible, its own dormitories.

ARTICLE 228

Only persons of the Orthodox faith who have the prescribed qualifications can be instructors (teachers) in the Orthodox Theological Facualy, in theological and monastic schools.

Professors of theological courses in seminaries and monastic schools must be either in Holy Orders or of Monastic orders.

ARTICLE 229

Lectures at the Orthodox Theological Faculty of the University must be in agreement with the teachings of the Orthodox Christian Church. Concerned with this is the Holy Synod of Bishops, as well as with the religious suitability of the candidate for instructor of this school at the time of his appointment.

ARTICLE 230

The cirriculum plan and program of lectures in theological and monastic schools is prescribed by the Holy Assembly of Bishops.

ARTICLE 231

Rectors of seminaries and directors of monastic schools are appointed by the Holy Assembly of Bishops, and the teaching personnel is elected by the Holy Synod of Bishops upon the recommendation of the diocesan Bishop: the first and the latter are relieved from duties or returned by the Holy Synod of Bishops upon the recommendation of the diocesan Bishop.

ARTICLE 232

Theological and monastic schools are under the supreme control and direction of the Holy Synod of Bishops, and under the direct control of the jurisdictional diocesan Bishop;

The jurisdictional Bishop, as the direct supervisory authority, has the right to penalize by warning and rebuke all teaching personnel and other official personnel because of unconscientious work or unbecoming behavior. In case of more grevious offense, the diocesan Bishop may temporarily remove the official from his duties and immediately inform the Holy Synod of Bishops of this for further action.

ARTICLE 233

Regulations dealing with the theological and monastic schools are prescribed by the Holy Assembly of Bishops.

ARTICLE 234

Concerning the founding and ordering of other church-educational schools and foundations, the Holy Assembly of Bishops in agreement with the Patriarchal council is the competent authority for general institutions for the whole church; for diocesan, church-congregational and monastic

institutions, the diocesan Bishop in agreement with the diocesan, i.e., the church-congregational council, i.e., the monastery superior and brotherhood,—all with the approval of the Holy Synod of Bishops and the Patriarchal executive committee, if the maintenance of these schools and foundations falls upon the burden of estimates of income and disbursements for general church needs.

V. CHURCH PROPERTIES

ARTICLE 235

The Serbian Orthodox Church independently governs and freely directs church properties, church funds and memorial bequests (foundations), as also its own incomes within the limitations of canonical regulations and this Constitution.

ARTICLE 236

All annual disbursements and incomes of the Serbian Orthodox are forseen in the annual estimates of income and disbursements, which are compiled separately according to general or particular needs which must be satisfied.

For the general needs of the Serbian Orthodox Church, the Patriarchal Executive Committee determines the estimate of general income and disbursement, and the concluding accounts it submits to the Patriarchal council for approval.

For the particular needs of the dioceses, church congregations and monasteries, the organs of these bodies competent for this by this Constitution, compiles the estimate of disburesements and incomes of the respective diocese, church congregation or monastery. Estimates of the dioceses are approved by the Patriarchal Executive Board, and estimates for church congregations and monasteries are approved by the Diocesan Executive Committee.

The concluding accounts of the diocese are submitted by the Diocesan Executive Board for approval to the Patriarchal executive committee in accordance with art. 101, point 4, and art. 153, point 3, and the concluding accounts of church congregations and monasteries are approved by the Diocesan Executive Committee.

ARTICLE 237

The disbursements and income of Church funds and of Church foundations and institutions are provided for in the respective estimates, and consequently under whose jurisdiction comes the handling and governing of the same, as well as the care for their needs and uses.

The incomes and disbursements of church memorial bequests (foundations) are also forseen in the respective estimates, if the disbursements are designated for the needs of the Church.

ARTICLE 238

The organs which are authorized to compile or submit the annual estimates of disbursements and income are also obliged to prepare the annual closing accounts, which they submit for review and dispensation to the authorities under whose jurisdiction the matter belongs.

ARTICLE 239

The Directors for the Church budgets are as follows:

For the budget of general disbursements and incomes of the Serbian Orthodox church, the President of the Patriarchal Executive Committee, or his deputy; For the diocesan budget, the President of the Diocesan Executive committee, or his deputy; For the budget of the Church Congregations, the President of the Church-Congregational Executive Committee; and for the budget of the monasteries, the Superior of the monastery.

The Directors for the budget of the general needs of the Serbian Orthodox Church and the Directors of the diocesan budgets, can transfer their right of directorship to subordinate organs for sums up to 20.000 dinars.

ARTICLE 240

Submitters of accounts are all those organs and persons to whom by this Constitution or regulations and other rules are entrusted the handling of church money, articles, and material.

ARTICLE 241

The Directors and submitters of accounts are materially responsible for their work which might be contrary to church-legal rules.

ARTICLE 242

The following are the sources for covering the disbursements of the Serbian Orthodox Church:

1) Incomes from Church and Monastery benefices, temples, funds, memorial bequests, and from various church foundations and institutions;

2) From church taxes;

3) Income from securities;

4) Assessments upon church congregations and monasteries;

5) Voluntary donations, gifts and bequests.

ARTICLE 243

The General needs of the Serbian Orthodox Church which are forseen in the estimate of general disbursements and incomes, are met with:

1) Income from general Church benefices and from Church institutions of a general character;

2) With income from Church taxes mentioned in (Article 242, part 2), in-so-far as they are prescribed for general needs;

3) With incomes from sources forseen in (Article 242, part 3).

4) With incomes from Church funds and memorial bequests, and also from special incomes from voluntary donations, gifts and bequests, in-so-far-as they are designated for general needs;

5) Incomes from special assessments upon church congregations, monasteries and dioceses;

6) Incomes from church foundations and institutions.

ARTICLE 244

The particular needs of the dioceses shall be met:

1) From incomes from diocesan benefices;

2) From incomes from church funds, memorial bequests and incomes from diocesan institutions and foundations, and also from incomes from voluntary donations, and bequests, in-so-far-as they are designated for diocesan needs;

3) From incomes from special assessments upon church congregations and monasteries.

ARTICLE 245

The particular needs of the church congregations shall be met:

1) From incomes from the temple and from church-congregational benefices and institutions;

2) From incomes from church-congregational funds, memorial bequests, and other institutions, from voluntary donations, gifts and bequests, in-so-far-as they are designated for the needs of the church-congregation, and,

3) From incomes from voluntary assessment upon its members.

ARTICLE 246

The particular needs of monasteries shall be met;

1) From incomes from their temples and benefices;

2) From incomes from their workshops and handicrafts;

3) From incomes from their funds, memorial bequests and institutions and also from incomes from voluntary donations, gifts and bequests;

4) From incomes derived by service to parishes (Article 170)

ARTICLE 247

Church benefices are those real estate and personal properties which are the possessions of the Church as the general property of the Serbian Orthodox Church, or which are the possessions of the particular dioceses, monasteries, church congregations, temples, memorial foundations, independent institutions, or such funds.

The General benefices of the Church are considered Patriarchal benefices; particular benefices are considered, Diocesan, Episcopal, Church-Congregational, specific Churches, and Monastery benefices, which serve the particular needs of the Dioceses, i.e., the Bishops, Rectors, Deacons, church officials and monastics.

ARTICLE 248

Church benefices and income derived therefrom are used for the general or particular needs of the Church, and cannot be used for any other purpose.

ARTICLE 249

Real estate church benefices must have legal documents of ownership.

ARTICLE 250

Accurate and prescribed inventories must be regularly kept for all church benefices, which are compiled by those authorities and organs which directly govern these benefices.

ARTICLE 251

Church benefices are insured against damage from fire, theft, and storms of the elements, in accordance with the regulations of the Patriarchal Executive Committee.

ARTICLE 252

Church real estate property, which is given with a specific purpose, (Memorial Bequests, Bequests, etc.) cannot be mortgaged nor alienated, if the doner has specifically forbidden this.

ARTICLE 253

Monasteries may associate economically for a more rational development of the contemporary economy of its property, and they can establish their workshops with the approval of authorized diocesan authorities.

ARTICLE 254

The Patriarchal Council prescribes the manner of governing, handling and use of church benefices, as also the manner of supervision and control over those benefices.

ARTICLE 255

The Patriarchal Executive Committee renders the final decision concerning all those questions dealing with church properties which are not by this Constitution assigned to the jurisdiction of any church authority.

ARTICLE 256

Serbian Church Funds are those which were established by or the Serbian Orthodox Church, or her component parts, foundations and institutions, or which may be established with the designated purpose for the general needs of the Serbian Orthodox Church or for the particular needs of her component parts, foundations and institutions.

ARTICLE 257

Serbian Church memorial bequests (foundations) are those founded by particular benefiactors, or which may be founded with a specified purpose for religious, church-educational, benevolent or other needs of the Serbian Orthodox Church, or for the particular needs of her component

parts, foundations and institutions. Likewise, Church memorial bequests are those which are not designated for the church needs and aims, but are entrusted to the governing and handling of church authorities, foundations and institutions.

ARTICLE 258

For every church fund, and every church memorial bequest (foundation) there must exist By-Laws, in which is designated the property, its intention, the manner of its governing, use and control, and also the manner in which it is represented before the authorities.

The founding of Funds and acceptance of memorial bequests (foundations), and also their By-Laws, are approved by the Patriachal Executive Committee.

In-so-far as there are no By-Laws for particular funds and memorial bequests (foundations), the Patriachal Executive Committee shall prescribe them.

ARTICLE 259

For the particular needs of the Church for furthering the Orthodox Faith there exists the Synodal Fund, which is governed by the Holy Synod of Bishops.

In the estimate of general disbursements and incomes of the Serbian Orthodox Church, each year the necessary credit of proceeds assigned to the Synodal Fund must be forseen, which cannot be less than 1% of the totally forseen incomes for the respective budget year.

ARTICLE 260

All Church Funds and memorial bequests (foundations) serve only those purposes for which they are intended.

The intentions of existing Funds and Memorial Bequests (foundations) can be extended to cover the same needs in the entire Serbian Orthodox Church and of her component parts. Decisions concerning this are made by the Patri-

archal Council upon recommendation of the Patriarchal Executive Committee, and in agreement with the Holy Assembly of Bishops.

ARTICLE 261

The intention of Funds and memorial bequests (foundations) can be, by exception, changed only if the intention becomes impossible to realize, or if the need ceased to exist for which it was intended.

Likewise, if its holdings decrease because of various monetary changes so that it becomes inoperable, the fund or memorial bequest shall be consolidated with others having similar intentions, but with the terms that the names of the founders shall be completely preserved. Of such matters the Patriarchal Executive Committee shall submit an explanatory recommendation, which shall be decided upon by the Patriarchal Council, by agreement with the Holy Assembly of Bishops.

For Funds and Memorial Bequests attached to church congregations and dioceses, the recommendation is submitted to the Patriarchal Executive Committee by the Diocesan Executive Committee.

ARTICLE 262

For official actions of ecclesiastical authorities, bodies and organs, both in the hierachal and self-governing spheres, only those taxes are paid to the benefit of the Serbian Orthodox Church which are prescribed in a separate By-Laws by the Patriarchal Council in agreement with the Holy Assembly of Bishops.

ARTICLE 263

Decisions concerning the granting of dispensations to church congregations, monasteries and dioceses, for the general needs of the Church are rendered by the Patriarchal Council in agreement with the Holy Assembly of

Bishops (Article 69—Part 24, and Article 243—Part 5). For particular diocesan needs such decisions are rendered by the Diocesan Council (Article 141—part 3, and Article 244—part 3), which is approved by the Patriarchal Executive Committee in agreement with the Holy Synod of Bishops.

For particular needs of church congregations, decisions made concerning the assessing of members of the church congregation by the Church-Congregational Council (Article 191—part 6, and Article 245—part 3) are submitted for approval to the Diocesan Executive Committee.

ARTICLE 264

At the seat of the Patriarchal Executive Committee is the governing chancery, which performs the governing affairs of the Church self-governing according to the directives and under the supervision of the Patriarchal Executive Committee and under the supreme supervision of the Patriarch.

The Governing Chancery has these departments:

General—Economic—and Financial

By regulation which is brought about by the Patriarchal Council, these offices shall be rearranged according to financial conditions.

ARTICLE 265

The Means of the Church may be used to establish institutions, associations, and workshops for the making of candles, church utencils, and other necessary articles for the church, as also a printing shop, book-bindery, etc.

The use of candles in the church depends upon the approval of church authorities.

Special church stores may be established to provide the faithful with these various articles.

ARTICLE 266

Members of the ecclesiastical-heriarchical and church-self governing bodies and organs, excepting those for whom this Constitution otherwise provides, receive a per diem during the time of their work, i.e., reimbursement for traveling expenses, from the church-self governing means, in accordance with the By-Laws which are prescribed by the Patriarchal Council in agreement with the Holy Assembly of Bishops. The same applies in cases when church dignitaries, and other officials travel on official business away from the place of their residence.

VI. PROVISIONAL INSTRUCTIONS AND CONCLUDING ORDINANCES

ARTICLE 267

Until such time that the material means for the maintenance of the bodies and organs of the Serbian Orthodox Church be assured in accordance with (Article 90) of this Constitution, the Patriarch, the central appertinaing authorities of the Patriarchate and their personnel (offices and personnel of the Holy Synod of Bishops, the Patriarchal Executive Committees and the Supreme Ecclesiastical Court), as also the seminaries and monastic schools, fall upon the burden of the central treasury of the Patriarchate; The Bishops, Diocesan Ecclesiastical Court, Diocesan Executive Committee and their clerks fall upon the burden of the Diocesan treasury; rectors, deacons, and church-congregational clerks, fall upon the burden of the church-congregational treasury, i.e., of the parish, and the brotherhood of the monastery and its servants upon the burden of the monastery treasury.

ARTICLE 267

Contributions for retirement insurance of Bishops, priests, church-hierarchical and church self-governing clerks are paid in accordance with legal regulations by those bodies which support them. A special regulation concerning this shall be issued by the Holy Synod of Bishops in agreement with the Patriarchal Executive Committee.

The Benefits of service personnel of the church appertaining jurisdictions must be uniform, the amount be regulated by the Holy Synod of Bishops in agreement with the Patriarchal Executive Committee.

ARTICLE 268

When this Constitution becomes effective, all laws, directives, and other regulations cease to be valid which are contrary to this Constitution.

ARTICLE 269

The changes and amendments in this Constitution of the Serbian Orthodox Church of November 16th, 1931, were made by the Holy Assembly of Bishops of the Serbian Orthodox Church, and become effective on the day of their public announcement in the "Glasnik", the official journal of the Serbian Patriarchate, with the condition that they be presented at the appropriate time to the Patriarchal Council through the Patriarchal Executive Committee.

• • •

From the meeting of the Holy Assembly of Bishops held in Belgrade, on the 6/19 day of May, 1947—ACNo.—46/ Min of 1947.

President
Holy Assembly of Bishops
ABM and SERBIAN PATRIARCH
GAVRILO, s.r.

DECISIONS OF THE HOLY ASSEMBLY OF BISHOPS RELATIVE TO CERTAIN PRESCRIPTIONS OF THIS CONSTITUTION

1. Increasing Of The Number Of Members Of The Diocesan Council Of The Archbishopric Of Belgrade-Karlovac.

—The Holy Assembly of Bishops, under ACno. 51/min. 33 of 1948, adopted the decision of the Holy Synod of Bishops no. 2540/min. 683 of 1947, by which the number of members of the Diocesan Council of the Archbishopric of Belgrade-Karlovac, be increased in exception to regulation of (Article 137) of the Constitution, so that in the same there be admitted from the Episcopal District of Belgrade, eight ordained, and eight lay persons, and from the Episcopal District of Vracar-Grocanac, three ordained, and three lay persons.

2. The Czech-Moravian Diocese in Czechoslovakia, be ceded to the jurisdiction of the Russian Orthodox Church.

—The Holy Assembly of Bishops under ACno. 24/min. 28 of 1948, rendered the decision by which the Czech-Moravian Diocese, be ceded to the jurisdiction of the Russian Orthodox Church.

3. The Appointment and Transfer of Permanent Parish Priest.

—The Holy Assembly of Bishops under ACno. 44/min. 57 of 1952, rendered the following decision:

"No one can be installed as permanent restor with a concourse in accordance with (Article 166) of the Church Constitution".

"A permanent parish priest, if he be transferred by his own request to another parish without concourse, loses permanence status",

4. The Converting of Convent Monasteries into Male Monasteries and the Reverse.

—Relative to (Article 30 and 32) of the Constitution, the Holy Assembly of Bishops under ACno. 7/min. 40 of 1954, rendered the following decision:

"The converting of convent monasteries into male monasteries and male monasteries into convents is conducted by the Diocesan Bishops, who informs the Holy Synod of Bishops informations sake."

"The permanent superior of either effected upon the converting of monastery lose their permanence".

5. The Abolishment of the Diocese of Budimlje-Polim.

—The Holy Assembly of Bishops under ACno. 44/min. 70 of 1956, rendered this decision:

"On the basis of (Article 16) of the Constitution of the Serbian Orthodox Church, the Diocese of Budimlje-Polim, is Abolished."

"Those parts from which this Diocese was comprised are to be returned and annexed to those Dioceses from which they were taken at the time of the formation of this Dioceses, to wit: To the Diocese of Dabro-Bosnia, are returned the former counties of: Pljevalj, Novovaros, Priboj, and Milesev; To the Diocese of Crna Gora-Primorje, the former counties of; Andrijevo to the mountain of Tresnjevik, with the exposition of Plav and Gusinje, Beranska, with the exposition of Rozaj and Bjelopolje; To the Diocese of Raska Prizren: the county of Sjenicks."

CONTENTS

I FUNDAMENTAL REGULATIONS (Article 1-Article 41) .....

II THE STRUCTURE OF AUTHORITIES, BODIES, AND ORGANS OF THE SERBIAN ORTHODOX CHURCH (Article 42-Article 213)

1. The Patriarch (Article 42-Article 45) .....
2. The Holy Assembly of Bishops and The Holy Synod of Bishops
   a) General Mutual Regulations (Article 56-Article 68) .....
   b) Jurisdiction of the Holy Assembly of Bishops (Article 69) .....
   c) Jurisdiction of the Holy Synod of Bishops (Article 70) .....
3. The Supreme Ecclesiastical Court (Article 71-Article 80) .....
4. The Patriarchal Council (Article 81-Article 90) .....
5. The Patriarchal Executive Committee (Article 91-Article 101) .....
6. The Diocesan Bishop (Article 102-Article 114) .....
7. The Diocesan Ecclesiastical Court (Article 115-Article 135) .....
8. The Diocesan Council (Article 136-Article 143) .....
9. The Diocesan Executive Committee (Article 144-Article 158) .....

10. The Episcopal District Deputy (Article 159-Article 163) .....
11. The Rector (Article 164-Article 178) .....
12. The Church-Congregational Council and Church-Congregational Executive Committee
    a) Church-Congregational Council (Article 179-Article 193) .....
    b) Church-Congregational Executive Committee (Article 194-Article 202) .....
    c) Mutual regulations for the Church-Congregational Council and the Church-Congregational Executive Committee (Article 203-Article 207) .....
13. The Superior and brotherhood of monasteries (Article 208-Article 213) .....

III. ECCLESIASTICAL OFFENSES AND PUNISHMENTS (Article 214-Article 224) .....

IV. CHURCH EDUCATION (Article 225-Article 234) .....

V. CHURCH PROPERTY (Article 235-Article 226) .....

VI. PROVISIONAL INSTRUCTIONS AND CONCLUDING ORDINANCES (Article 267-Article 269) .....

DECISIONS OF THE HOLY ASSEMBLY OF BISHOPS RELATIVE TO CERTAIN PRESCRIPTIONS OF THIS CONSTITUTION

PLAINTIFF'S EXHIBIT 68C

THE HOLY EPISCOPAL SYNOD
OF THE SERBIAN ORTHODOX CHURCH
Number 1735
August 12, 1963
Belgrade

HIS GRACE STEFAN
EASTERN AMERICAN & CANADIAN BISHOP
Clairton, Pennsylvania

Your Grace:

The Holy Assembly of Bishops of the Serbian Orthodox Church at its meeting of June 8 (May 26) 1962 under AS number 23 minutes 12 brought forth the following decision.

"The Holy Assembly of Bishops temporarily takes upon itself the execution of matters of the Patriarcal Council"

I have the honor to inform Your Grace of the foregoing for your information as well as to inform their Graces Bishop of Middle-Western America Firmilian and Bishop of Western America Gregory of this decision.

Respectfully, faithful to your Grace,

Chief Secretary
of the Holy Episcopal Synod

MLADEN MLADENOVICH, Proto-Priest

PLAINTIFF'S EXHIBIT 69
PENAL CODE
of the
SERBIAN ORTHODOX CHURCH
BELGRADE
1961

PENAL CODE FOR THE ECCLESIASTICAL COURT OF THE SERBIAN ORTHODOX CHURCH
(KP)

I
INTRODUCTORY AND GENERAL REGULATIONS

ARTICLE 1.

Ecclesiastical offenses and punishments are those which are prescribed by the Holy Canons and which, according to the Constitution of the Serbian Orthodox Church, are enumerated by these statutes.

ARTICLE 2.

Violations of ecclesiastical duties committed by clergymen or both orders are punishable as CLERICAL TRANSGRESSIONS, while violations of church duties committed by persons in the minor orders, monks, and the remaining laity are punishable as TRANSGRESSIONS OF THE FAITHFUL according to these statutes.

ARTICLE 3.

Members of the Serbian Orthodox Church are accountable for ecclesiastical transgressions according to these statutes, regardless of where and when these transgressions were committed.

ARTICLE 4.

Punishment for these transgressions according to the general penal code or according to penal regulations of other state laws do not exclude the applicability of ec-

clesiastical punishments by these statutes insofar as the committed act also contains ecclesiastic transgressions, and insofar as these are persons for whom these statutes are obligatory. (Article 3.)

ARTICLE 5.

Relative to ecclesiastical transgressions according to these statutes.

1) Clergmen are considered to be only those persons ordained in Holy Priesthood of the white and monastic orders, regardless of whether they are in active Church service or in retirement.

2) Members of the minor orders, (church servers) monks, and other persons who have reecived the Holy Sacrament of Baptism and who are members of the Serbian Orthodox Church (Article 25, Constitution of the Serbian Orthodox Church), are considered to be 'the faithful'.

3) By (the term) faith is understood the Orthodox Christian Faith; by Church is understood the Ecumenical Orthodox Church, respectively the Serbian Orthodox Church;

4) By (the term) Court are understood those ecclesiastical judicial authorities and organs provided for in the Church Constitution.

ARTICLE 6.

Ignorance of these statutes or a wrong understanding of them excuses no one.

Ignorance of the Faith or teachings of the Church excuses neither clerical persons nor monks, and ignorance of Christian morals excuses no one.

ARTICLE 7.

He who consciously leads or encourages another to commit ecclesiastic transgressions, or who consciously aids another in committing an ecclesiastic transgression shall be punished as if he himself had committed the offense.

II

REGULATIONS CONCERNING ECCLESIASTICAL TRANSGRESSIONS

A) *Clerical Transgressions*

1) *Transgressions against the Faith, Teachings of the Church and Church Order.*

ARTICLE 8.

A Clergyman who in any way professes atheism or who renounces the Orthodox Christian Faith shall be punished for apostasy by being defrocked and excommunicated from the Church community.

ARTICLE 9.

A clergyman who denies or holds up to doubt a dogmatic truth of the Church, or who publicly confesses an error of a dogmatic nature which has been condemned by the Church shall be punished for heresy by being defrocked and excommunicated from the Church community.

ARTICLE 10.

A clergyman who consciously takes a false oath, or who falsely testifies in the name of God, or breaks an oath given in the name of God or a vow unto God, monastic or otherwise, shall be punished by being defrocked.

ARTICLE 11.

A clergyman who betrays a secret entrusted to him in confession shall be punished by being defrocked.

ARTICLE 12.

A clergyman who blasphemes God, the Holy Mother of God or His Saints, the Church and Faith, or if he curses them, or if he defiles a holy thing or a holy place, or who violates a divine worship service or a priestly rite which he himself performs or which is performed by another, shall be punished by being defrocked.

ARTICLE 13.

A clergyman who appropriates for himself a holy thing or article bequested to or entrusted to the Church shall be punished for sacrilege by being defrocked.

ARTICLE 14.

A clergyman who officiates in a nunprescribed manner, or in a place which is unbecoming, or in a non-ecclesiastical language without the blessing of the diocesan bishop, or under forbidden circumstances or in a manner completely against Church regulations, shall be punished by disciplinary measures, and if he stubbornly persists, he shall be defrocked.

ARTICLE 15.

A clergyman who separates himself from the Church, or who undertakes anything against the heirarchical unity of the Church or its canonical authority or who disavows her canonical regulations shall be punished for schism by being defrocked and excommunicated from the Church community.

ARTICLE 16.

A clergyman who receives or gives money or any other thing of value for ordination or promotion, shall be punished for simony by being defrocked and excommunicated from the church community, or for nepotism he shall be punished by being defrocked.

A clergyman who avails himself of influence outside the Church in order to gain an hierarchical position, title or calling in the Church, or who accepts such position, title or calling, or who resorts to the intervention of persons outside the Church in order to be released of his church duties and responsibilities, or to escape some obligation towards the Church and in the Church, shall be punished by the free discretion of the court, and in more serious case by being defrocked, respectively excommunicated from the Church community.

ARTICLE 17.

A clergyman who renounces obedience to his competent bishop, or who does not mention him in divine services, or who refuses to accept or to submit to the decisions of competent authorities in the Church or judgments of church judicial authorities, or who celebrates divine services or officiates priestly rites while under sacerdotal suspension, or who instigates the fairthful against Church Authorities or against some of Her regulations and decisions, or who refuses to quieten the faithful and lead them to obedience of Church authority, or who openly or secretly works, speaks and creates confusion against existing Church order and heirarchical authority, shall be punished for disobedience by being defrocked. In a more serious instance if he be already defrocked, he shall be punished by being excommunicated from the Church community.

ARTICLE 18.

A clergyman who officiates or performs other heirarchical acts of authority in some other jurisdiction, or who gives and accepts heirarchical ranks and which were already properly given or taken away, or who willfully deserts his post, respectfully his place of ministration, he shall be punished by disciplinary measures, respectfully by the free discretion of the court.

A clergyman who willfully deserts his church position and does not comply to the summons of his bishop to return to his church post shall be punished by being defrocked. In a more serious instance or blasphemy, he shall be punished by excommunication from the church community.

ARTICLE 19.

A clergyman who does not give due respect to other clergy, especially to clergy of higher hierarchical rank. shall be punished by disciplinary measures.

ARTICLE 20.

A clergyman of the monastic order who establishes a monastery without permission of the competent bishop, or who takes a monastery, monks or nuns from under the jurisdiction of the competent bishop, or who under any other pretenses willfully establishes co-habitant monastery for monks and nuns, or who as Monastery Superiors receive into the monastic order or who perform tonsure without permission of the competent bishop, or who accept as monks persons who are unfit or who do not exercise proper supervision over those whom they do accept, shall be punished by being defrocked.

2) *Behavior unbecoming to the priestly rank or position.*

ARTICLE 21.

A clergyman who commits or attempts to commit murder shall be punished by being defrocked.

Should he kill a man in self-defence or by accident, or if he tries to commit suicide, or should he cripple himself deliberately, sh shall be punished by sacerdotal suspension for life.

ARTICLE 22.

A clergyman who commits larceny, embezzlement or defraud, shall be punished by being defrocked.

ARTICLE 23.

A clergyman or monastic cleric who commits adultery or enters romantic attachments with persons entrusted to his pastoral care, or who after ordination enters into marriage, shall be punished by being defrocked.

A clergyman who performs the sacrament of marriage upon a clergyman, shall be punished by being defrocked.

ARTICLE 24.

A clergyman who participates in the commission of an unnatural act of unchasteness, (homosexuality), or who is given over to drunkeness and unchastity, or who performs priestly rites in a drunken state, or who gambles for profit, (games of chance), shall be punished by being defrocked.

ARTICLE 25.

A clergyman who commits some other immoral act and demonstrates unbecoming behavior as: spending time in taverns, bars and similar places, or who frequents bars and unbecoming places, or who endulges in making fun of the feeble in body, fights, intrigues, slander, lies, bribery, unbecoming expressions, cursing, deceit, and such similar acts, shall be punished by disciplinary measures, inasmuch as the transgression in a particular instance is not more severly punishable according to these statutes. In more serious case or if repeated, he shall be punished by the free discretion of the court.

ARTICLE 26

A clergyman who by reason of approval, agreement, or inclination, associates with heretics, schismatics, criminals, adulterers, drunkards, gamblers, known intriguerers or troublemakers and in general with persons of ill repute, shall be punished by disciplinary measures, and if repeated by the free discretion of the court.

Insofar as clergymen would instigate or support such persons in the commission of immoral or criminal acts, or who harbors such persons, or acts as receiver, he shall be punished by being defrocked.

ARTICLE 27.

A clergyman who engages in sorcery or divination of any kind, or spiritism and other superstitions, or who irresponsibly makes debts, or engages in arrogant litigations, or should be without permission of his competent bishop be-

come employed outside the Church, or goes hunting with fire arms, or if he engaged in some unbecoming business, shall be punished with disciplinary measures or by being transfered, inasmuch as such an act would not be more severely punishable according to these statutes.

ARTICLE 28.

A clergyman who without the prescribed clerical garb comes to the holy temple, or officiates, or performs rites, or appears at gatherings of the clergy or faithful, or has fellowship with his flock, or comes before his bishop, or is meeting him, or who neglects his external appearance and cleanliness of his body and clothing, or who by completely shaving beard and mustache, avoid that outward characteristic of an Orthodox clergyman, shall be punished by disciplinary measures, and if repeated, or if by so doing he provokes scandal, shall be punished by the free discretion of the court.

ARTICLE 29.

A Clergyman who outside of service, by deed or word, infringes upon his duty-bound respect toward holy rites, holy places. holy vestments and holy times, shall be punished by disciplinary measures, inasmuch as this is not more severely punishable according to these statutes.

3) *The nonperformances, respectively the careless performance of official clerical duties and lawful orders of the competent church authorities.*

ARTICLE 30.

A clergyman who:

1) Arbitrarily neglects to perform a prescribed officiation,

2) Or due to negligence perform an officiation contrary to the church regulations,

3) or administrates a holy sacrament to a person who does not meet the conditions to receive it,

4) or unjustifiably refuses to someone a rite or holy sacrament, permitted according to church and civil regulations, or who violate church marital regulations, especially if he performs marriage between persons who were divorced by civil court only, but not by the church,

6) at a holy place, or during an officiation also performs a secular function which does not have any connection with the faith or church,

7) or who co-celebrates during the holy liturgy but does not partake of holy communion,

8) or who celebrates the holy liturgy and does not consume the holy communion,

9) or who easts, drinks or smokes prior to serving holy liturgy,

10) or who does not teach the faithful,

Shall be punished by disciplinary measures, and if repeated and in a more severe case by the free discretion of the court.

ARTICLE 31.

A clergyman who loses official documents or enclosures shall be punished by disciplinary meaures, and in a more serious case by transfer to another place of service.

ARTICLE 32.

A clergyman who destroys or falsifies official documents or enclosures, or books of record, or financial books and documents, shall be punished by the free discretion of the court.

If he does that because of personal gain or out of personal passion, he shall be punished by being defrocked.

ARTICLE 33.

A clergyman who in the performance of his service tramples upon ecclesiastical regulations or makes omissions and thereby causes damage to the Church, or does damage to respectively provides some benefit to himself or for another, shall be punished by disciplinary measures or by the free discretion of the court.

ARTICLE 34.

A clergyman who helps himself with church money or other church property for personal benefit or waste it without any account, or does not handle it according to the prescribed order, or who does not submit bills and documents on time, or does not keep orderly books and does not preserve documents of that management, or if he allows and tolerates the same to be done other persons to whom church property had been entrusted for management and direction, shall be punished by disciplinary meaures, respectively by the free discretion of the court.

ARTICLE 35.

A clergyman who keeps church record books in a disorderly and careless manner shall be punished by disciplinary measures, and if repeated, by transfer.

ARTICLE 36.

A clergyman who without permission of the competent bishop reveals what he has learned in his official work, and which if revealed, might prevent the success of the churches service and cause damage to the churches interests, shall be punished by disciplinary measures.

ARTICLE 37.

A clergyman who is neglectful and disorderly in coming to his official duty, or who performs his service carelessly, or prolongs official functions or the execution of the decisions of the church authorities, shall be punished by disciplinary measures. In repeated instances, he shall be punished by transfer.

ARTICLE 38.

A clergyman who does not perform his duties as an elder at all toward those younger in the Church, or who performs it badly, or intentionally protects or recommends

incapable, undeserving or unworthy persons, or unjustifiably acts badly toward his flock or parties who officially come to him, shall be punished by disciplinary measures.

If a monastic clergyman conducts himself in this manner toward monks who are under his authority, he shall be punished more severly by the free discretion of the court.

4) *Insults and slanders which one clergyman inflicts upon another clergyman.*

ARTICLE 39.

A clergyman who insults another clergyman shall be punished by disciplinary measures.

If the insult was done publicly, or if it caused public scandal, or if repeated, shall be punished by the free discretion of the court.

If a clergyman insults a bishop he shall be punished according to the holy canons.

ARTICLE 40.

If one clergyman by his unbecoming behavior, gave to another a direct cause to insult him, the one so provoked may be punished more mildly, or he may be exonerated of any punishment, if the insult reverted to one younger in rank, inasmuch as it did not cause a public scandal.

ARTICLE 41.

A clergyman who brings out and spreads something untrue about another clergyman which might damage his priestly honor and dignity, shall be punished by disciplinary measures. If repeated or in more severe cases he shall be punished by the free discretion of the court.

ARTICLE 42.

The proving of truths concerning insults between clergymen is excluded.

Concerning slander, the proving of truths is allowable in such a case which does not deal with the private or family life of the one who was scandalized.

ARTICLE 43.

A penal action for insult and slander is undertaken only upon a private complaint.

5) *Extortion of unprescribed fees for priestly rites.*

ARTICLE 44.

A clergyman who for priestly rites extorts uncustomary fees and favors, or compensation in money in an unusual amount, not wanting to perform prestly rites for the customary of compensation, shall be punished by disciplinary measures, if repeated more severely.

A penal action is understaken only upon a private complaint.

6) *Debating and criticising in speeches of laws and orders of competent authorities and of their procedures.*

ARTICLE 45.

A clergyman who in speeches, sermons and writings, or before his entrusted flock, or before other clergymen, or otherwise disputes, criticize or mocks church rules and orders of ecclesiastical authorities, shall be punished by disciplinary measures, and if repeated or in a more severe case shall be punished by the free discretion of the court.

B. *Transgressions of church servers in minor orders, monastic persons and other faithful.*

1. Transgressions against the faith and teachings of the Church and church order, and
2. Christian morals.

ARTICLE 46.

Who among them commits the act of apostasy from the faith, or falls into heresy, perjury, simony, schism, blasphemy, sacrilege or commits murder or adultery, shall be punished by disciplinary measure, in a severe case by the free discretion of the court.

ARTICLE 47.

Anyone who denies obedience to his hierarchical church authority, or revolts or contrive a plot against it, or withholds due respect, to it, or insults it, slanders and degrades it, or does not recognize or refuses to fulfill its decisions and orders, or who does not receive his competent pastor, or disregards his religious and church duties, shall be punished by disciplinary measures, and in a severe case by the free discretion of the court.

ARTICLE 48.

Anyone who abuses the Church's trust and usurps church money or property, or manages, i.e., governs it contrary to rules and thereby to the damage of church or who keeps books not in good order and falsifies documents, or destroys them, or loses them, or who sells church property without approval of the competent church authority, and similar, shall be punished by disciplinary measures and in a more severe case by the free discretion of the court.

ARTICLE 49.

Whoever knowingly or under the influence of others speaks or undertakes anything against the church order, or church interests or the Church in general, shall be punished by final excommunication from the church community.

ARTICLE 50.

Whoever exemplifies unbecoming behavier as per articles, 22, 25, 26, 27, of these statutes, or who falsely testifies, shall be punished by disciplinary measures or by the free discretion of the court.

ARTICLE 51.

Whoever is engaged in procurement, or acts inhumanly and unworthily toward ones own spouse, or willfully breaks the marital tie, or behaves unworthily and inhumanly toward his parents and children or toward youngsters in the family community or toward other persons, shall be punished by disciplinary measures, and in a more severe case by final excommunication from the church community.

ARTICLE 52.

Monks or nuns who:

1. Violate monastic vows,
2. Establish a monastry without permission of the competent bishop or separates a monastery or monks or nuns from under his authority,
3. Or establish a cohabitant monastery, (i.e), in which monks and nuns live together, shall be punished by being expelled from the monastic order.

ARTICLE 53.

A monk or nun who in the capacity as superior of a monastery receives anyone into the brotherhood or sisterhood without permission of the competent bishop, or for bribery, or one not of prescribed age, or a feeble-minded person, or one bound in marriage, or who does not exercise supervision over the brotherhood or sisterhood, over their life, work, behavior and prescribed garb, or he acts toward him inhumanly or who does not keep the monastery rule, shall be punished by being expelled from the monastic order.

ARTICLE 54.

Should a monk or nun transgress against other duties regarding monastery regulations and taken vows, they shall be punished according to the monastery's internal constitutions.

III

PROVISIONS CONCERNING CHURCH PENALTIES

ARTICLE 55.

Church penalties are these: (A) For Clergyman of both orders:

1. Warning (reminder)
2. reprimand
3. penance
4. transfer to another place of service
5. temporary suspension of sacredotal officiation
6. lose of parochial service respectively any other position in Church
7. permanent suspension of sacredotal officiation
8. divesture of priestly rank; (defrocking)
9. divesture of priestly rank (defrocking) together with excommunication from the church community;

(B) For Church servers (minor orders), monastic persons and other faithful are these:

1. temporary suspension of certain rights and honors in the Church
2. expulsion from the monatic order
3. excommunication from the church community for a specified period
4. final excommunication from the church community.

ARTICLE 56.

Punishment for clergymen of both orders: warning, (reminder), reprimand, penance up to 15 days and suspension of sacredotal officiation up to 30 days, as well as punishments for church servers, (minor orders) monks and other

faithful, temporary suspension of certain rights and honors in the Church, respectively expulsion from the monastic orders for simple monks and nuns are disciplinary punishments; all others are punishments for church transgressions.

Disciplinary punishments for presbyters and deacons of both orders or for the faithful (article 5) are pronounced by competent bishops by their decisions, and the punishment of warning, (reminder) without formal investigation.

ARTICLE 57.

1. Punishments of warning (reminder) and reprimand are executed by written decision;

2. Punishment of penance is executed by sending one for a specified time into a monastery for repentance,

Penance for one transgression cannot last more than 30 days and is sustained in a monastery designated by the competent bishop.

A person sent to penance retains his renumeration while performance of rites, which during that period belongs to his substitute, and he also bears the cost of his stay at the monastery, the amount of which is determined by the enduring punishment except one half of the fees for the competent bishop.

3. The punishment of transfer to another place of service is executed by transfering the guilty party to a lesser place of service without compensation for traveling and moving expenses.

4. The punishment of temporary suspension of sacerdotal functions is executel by decision of the competent bishop; this suspension of the guilty party whether it be from some particular or from all priestly functions can be for a period of no longer than one year.

5. The punishment of loss of parochial service, respectively some other position in the church, is executed by relieving the person of his duty or position.

6. The punishment of life-time suspension of sacerdotal functions includes for always the suspension of all priestly functions for the whole life of the person so punished.

7. The punishment of divestiture (defrocking) from the priestly rank is executed by the decision of the competent bishop rendered on the basis of the final judgment of the Supreme Ecclesiastical Court within one month from the time the judgment was rendered. Insofar as this decision may have been for whatever reason not announced during this period, it shall be considered that the defrocking had become effective on the last day of this period. A (priestly) rank once properly taken away can never be restored. Divestment of the priestly rank includes the loss of all hierarchical rights and privileges of the condemned, and his return to the simple status of the faithful (laity). For clergy of the monastic order, this punishment also includes expulsion from the monastic order.

8. The punishment of divestiture (defrocking) from the priestly rank with excommunication from the church community is executed in a manner so that the defrocking is performed first, and then by the same decision the one defrocked is excommunicated from the church community.

ARTICLE 58.

1) Expulsion from the monastic order is for life.

2) Punishments of temporary deprival of certain rights and privileges in the Church are:

a) Excommunication from the holy sacrament of communion;

b) Exclusion from the fellowship of worship with the faithful;

c) Deprival of a funeral service;

d) Expulsion from the minor orders of: sub-deacon, reader, cantor;

e) Deprival of the right to work for church authorities and of membership in church bodies, institutions, choirs and other religious organizations;

f) Deprival of duty as church warden;

g) Deprival of rights of table in the church, and of the honor of being sponsor (kum)-host for the church patron saint commemoration and of other honors.

The punishment of excommunication from the church community for a specified period is for at least three, and at most ten years. If such a person becomes mortally ill and sincerely repents, the bishop may forgive the punishment.

By punishment of final excommunication from the church community with anathema, the excommunicated person is deprived of all rights and priviledges and of all other duties in the church as well as of all obligations.

For monastic persons, excommunication from the church community also includes expulsion from the monastic order.

For the remaining faithful (laity), every punishment of a church transgression also included the loss of rights of membership in church bodies for as long as the punishment lasts.

ARTICLE 59.

In determining a punishment, all alleviating or aggravating circumstances will be taken into account which may affect the punishment to be a lesser or greater one.

ARTICLE 60.

The right to apply church disciplinary punishments expires by statute of limitations if the guilty party is not punished within five years from the time when he committed the transgression, provided that during that time he does not commit a new church transgression.

ARTICLE 61.

Due Process is initiated and continued for all transgressions as official duty except in those cases where these statutes prescribe that the accused may be prosecuted only on the basis of a private complaint by the person who was damaged by that transgression.

A private complaint may be submitted within three months coming from the day when the injured party first learned of the committed act and of its perpetrator.

Upon submitting a complaint, the plaintiff is obliged to post a deposit towards the costs with the court in the amount set by the court.

A private complaint may be withdrawn at any time up until the main trial is held.

ARTICLE 62.

The right of special mitigation of punishments, namely: the punishment of life-time suspension of sacerdotal functions, respectively defrocking from the priestly rank and defrocking from priestly rank with excommunication from the church community—prior to their execution—belongs to the Holy Assembly of Bishops; while for all other punishments, to the competent bishop—up to one half of the decreed punishment.

IV.

REGULATIONS ON DUE PROCESS IN PENAL MATTERS

ARTICLE 63.

In Ecclesiastical Judicial matters, regular judicial authority is exercised by: 1) Diocesan Bishops, 2) Diocesan Ecclesiastical Courts and by the Supreme Ecclesiastical Court according to regulations of Art. 35, 108, pt. 19, Art. 115-135, and Art. 71-80, respectively Articles 214-224 of the Constitution of the Serbian Orthodox Church; while special judicial authority is exercised by those bodies provided for in Articles 70, pt. 35, and 69, pt. 27 of the Constitution of the Serbian Orthodox Church.

ARTICLE 64.

The Due Process relative to church transgressions committed by clergymen of both orders, by the minor orders, monastic persons and by the remaining faithful (laity), comes under the competence of the court of that diocese to which such persons canonically belong, respectively, concerning the laity, of that territory on which they are permanently settled. (Art. 25 of the Church Constitution). The Ecclesiastical Court which had competence to initiate the Due Process shall retain its competency until the Process is concluded.

ARTICLE 65.

Due Process is written—in Cyrillic. Parties correspond with the courts by way of petition, and in case of illiteracy, by oral deposition into minutes. In both cases, it is mandatory that the number and other statistics be entered from the personal (identification) card of the petitioner. Unsigned submissions shall not in any case be taken into consideration or process.

Communication with parties is conducted in writing by way of summons and decrees which are posted by registered mail or by return receipt, or are hand delivered through appropriate church organs upon receipt.

ARTICLE 66.

If a person accused of a church violation does not comply with the summons, or refuses to accept the summonses and decrees of the court, or does not chose to reply to them, it shall be considered that he acknowledges the act and Due Process shall be concluded without his participation.

For a person accused of a church transgression who is absent or for whom a place of residence or location is unknown, or if he be imprisoned, the court shall appoint a representative from among those clergy never punished

by the church with whom the Due Process shall be concluded, and which shall be published in the "Glasnik", the official journal of the Serbian Orthodox Church.

ARTICLE 67.

The initiation of the Due Process is not bound by any formalities.

When the competent bishop receives a report concerning a church transgression, or if word of the same reaches him, he shall evaluate the veracity of the same; should he find that the report is founded, he shall order that Due Process be initiated in which he shall, through his organs, respectively, through the clergy of both orders under his jurisdiction, or through church-congregational executive committees, examine and investigate the matter and conduct necessary hearings of the accused and of witnesses, as well as collect evidence.

No one can be punished by any church punishment without prior hearing.

Insofar as it exists, a copy of the written complaint may be sent to the accused, respectively, of the private complaint, so that he himself may reply in writing by his written explanation and hearing.

ARTICLE 68.

When the collection of necessary facts and evidence is completed, the necessary hearing of witnesses concluded, the competent bishop shall examine all documents, and when he finds the matter to be adequately clarified or established, he shall decide either to suspend any further action, i.e., by rejecting the report or private complaint, or he shall render a decree in his compentency, or he shall submit the matter to the court under his jurisdiction for Due Process. In that same decree he may also pronounce the suspension of sacerdotal functions to the accused clergyman—

with or without a lessening of his renumeration up to one half, respectively, relieving the accused of administrative duties until the Due Process is concluded if there be a question of abuse of a material nature.

ARTICLE 69.

Upon receipt of the subject matter, the court shall submit the written documents to the church court prosecutor to write up the indictment in as many copies as are needed, and together with the same to return the entire subject-matter to the court.

The Indictment must contain:

1) The name and surname of the accused, the designation of his personal statistical information;

2) Data concerning the competency of the Court;

3) The transgression described according to time, place, and manner committed for which the accused is being sued, and its characteristics which are necessary for the application of the penal regulations of these statutes;

4) The official designation of the transgression according to these statutes, with a citation of the prescribed punishment to be applied upon the proposal of the church-court prosecutor.

5) Exact citations of evidence; and

6) An exposition including the recommended punishment, and the signature of the church-court prosecutor.

ARTICLE 70.

The Court shall serve the indictment upon the accused together with a summons that he submit his written reply to the court within 14 (fourteen) days.

Should the accused not submit his reply to the indictment within that period, it shall be considered that he acknowledges the transgression and that he waives that

right. In his reply, the accused shall within the limits of the indictment point out all that he deems necessary to his defense.

ARTICLE 71.

Upon receiving the reply to the indictment, or should the court establish the fact that it was not submitted within the legally appointed time, the court shall, in a properly constituted meeting—always in secret session—study all documents and on the basis of thereof, voting first on the transgression and then on the punishment, decree the judgment. The punishment shall be proposed and the judgment decree written up by a member of the court whom the presiding officer may so designate.

ARTICLE 72.

The president bishop votes in a session of the Diocesan Ecclesiastical Court if the vote is tied. If unanimity was attained without the vote of the president bishop, or if the president diocesan bishop was substituted in the session by his deputy, then it is necessary for the validity of the decision that the president bishop be in agreement with the decision which was rendered without his vote. To the contrary, proceedings shall be in order according to regulation in Art. 128 of the Church Constitution.

ARTICLE 73.

All deliberations and voting are recorded in minutes which must be compiled immediately in session, and which shall be signed by the president, and by all members of the court who have participated in the deliberation, and by the recorder, and which shall contain in brief the written disposition—order of the court.

ARTICLE 74.

The judgment decree must contain: 1) The designation of the Court which had rendered it, 2) Designation of the person concerned in the subject, 3) Designation of the subject of the proceedings, 4) The decision about the subject-disposition, 5) An exposition with instructions concerning legal remedies, and 6) the date, number of the document, and the signature of the president and secretary with the seal.

ARTICLE 75.

On matters of conflict between clergymen of both orders because of church matters or over parish income, or because of real or liquid church properties designated for use and benefit of the clergy, the court shall, only upon a private complaint submitted by an interested party and after thoroughly investigating the entire matter on the basis of related evidence, render its decision in conference which is final.

ARTICLE 76.

In the event that civil judicial authorities punish a clergyman of either order for an act which also contains a church transgression, the competent bishop shall, on the basis of the final judgment, either act in his own comptency or he shall submit the subject matter to the church court under his jurisdiction for further action.

ARTICLE 77.

Judgment decrees by the courts of the first instance which call for: 1) the loss of service, i.e. position; 2) the suspension of sacerdotal functions for life; 3) divestiture (defrocking) of the priestly rank; 4) divestiture (defrocking) of the priestly rank with excommunication from the church community, and 5) final excommunication of the faithful (laity) from the church community, are submitted by official procedure to the court of the second instance for final review.

ARTICLE 78.

Appeals against judgment decrees of the courts of the first instance are allowed to be made to the court of the second instance except in those cases mentioned in Art. 108, pt. 19, and Art. 217, pt. 2 and article 69, pt. 27 of the Constitution of the Serbian Orthodox Church.

An appeal is submitted in the necessary number of copies through the court authorities of the first instance within 14 (fourteen) days from the day when the judgment was posted by registered mail or by return receipt, or when served through a church organ on receipt. An appeal not submitted within the prescribed time shall not be taken into procedure.

An appeal arrests the execution of the judgment decree until a final decision is reached.

ARTICLE 79.

An appeal may be submitted because of rulings in the judgment decree: concerning the transgression, the punishment, the legal consequences of the punishment, the time factor of the punishment relative to the duration of suspension of sacerdotal functions.

In an appeal it is not permissable to introduce new facts which were not part of the subject matter in the litigation before the court of the first instance.

ARTICLE 80.

The appeal must contain: 1) The exact designation of the judicial authority, citing the number and date of the judgment decree against which an appeal is being filed; 2) Designation of the reasons for which the appeal is being made; 3) The precise amendment or change being sought in the judgment which is being appealed; and 4) The signature, occupation, and place of residence of the appealant.

ARTICLE 81.

Upon receipt of an appeal, the court of the first instance may submit it to the church court prosecutor who may give his reply to the appeal within 8 (eight) days. The reply must be limited to the statements and demands of the appeal and must contain a specificly defined contra-demand.

ARTICLE 82.

The court of the second instance will annul the judgment decree of the court of the first instance:

1) If the Court of the first instance was not competent for hearing the case;

2) If it was not properly duly constituted;

3) If in the deliberations disqualified or bribed persons participated;

4) If while rendering the judgment decree church regulations from article 7 of the Constitution of the Serbian Orthodox Church were either violated, overlooked, or wrongly applied;

5) If the ruling in the judgment is in contradiction with the opinion, or if the opinion is in contradiction to the judicial documents upon which it is based, and,

6) If according to the circumstances of the case. the judgment rendered was too lenient and not commensurate with the transgression.

ARTICLE 83.

The court of the second instance shall uphold the judgment decree of the court of the first instance if Due Process was properly observed according to these statutes, and if the judgment in all its parts is justified and issued in proper form.

ARTICLE 84.

When the judgment decree is upheld in its entirety, an opinion to this effect is not necessary unless the opinion of the court of the first instance was incomplete or in error.

ARTICLE 85.

If an appeal was obviously unfounded, or insolently submitted, or if it was calculated to mislead the judicial authorities of the second court instance, the higher court may punish the appellant for insolence.

ARTICLE 86.

Should the court of the second instance find, that in annulling a judgment decree that a new trial was not necessary before the court of the first instance, it shall render only a final verdict which would always be accompanied by an opinon.

The court of the second instance may in a special communication give instructions to the court of the first instance relative to all noticed errors.

ARTICLE 87.

The verdict of the court of the second instance is final and must be executed.

It is referred to the competent bishop through the court of the first instance for execution on accordance with provisions of Articel 57 of these Statutes.

ARTICLE 88.

A petition for exceptional mitigation of a punishment is submitted to the competent bishop who will himself decide if it is in his competency, or he will forward it to the Holy Assembly of Bishops with his opinion and recommendation.

There is no appeal against the decision of the diocesan bishop in which he may deny a petition for exceptional mitigation of a punishment.

A petition submitted for mitigation of punishment does not arrest the execution of the punishment.

The competent bishop may punish one who insolently repeats a petition for mitigation of punishment.

ARTICLE 89.

Relative to the payment of church taxes in court proceedings, the Ordinances on Church Taxes is obligatory.

Other church court expenses, if any, are borne by the guilty parties. Should someone in his own behalf seek a court action involving expenses, he shall be obliged to deposit with the court authorities in cash an amount designated which will be accounted for in the final decision.

ARTICLE 90.

In those cases provided for in Art. 69, pt. 27, and Art. 70, pt. 35 of the Constitution of the Serbian Orthodox Church, the rights of the diocesan bishop as provided for by these statutes shall be assumed by the Holy Assembly of Bishops, respectively, the Holy Synod of Bishops according to the regulations of the Constitution of the Serbian Orthodox Church and the regulations of these bodies for conducting business.

ARTICLE 91.

All those clergymen who have willfully abandoned or who in the future shall abandon church service, and who do not respond to the summons of their bishop (Art. 218 of the Constitution of the Serbian Orthodox Church) to return to service of the church, as well as clerics of the monastic order who have entered marriage and who do so in the future, shall be considered defrocked from the clerical and monastic ranks.

This shall be officially established by the diocesan bishop by his declaratory judgment which is final, and of which he shall inform the Holy Synod of Bishops.

ARTICLE 92.

The Statutes have been enacted by the Holy Assembly of Bishops of the Serbian Orthodox Church, in accordance with Articles 57 and 69, pt. 10, of the Constitution of the Serbian Orthodox Church, but its decision AS No. 29/min.

45 of May 10th, 1961. These Statutes will be announced in the "Glasnik", the official journal of the Serbian Orthodox Church, and they become effective and binding for the whole church on July 1st, 1961, at which time all previous statutes relative to this matter are no longer in effect.

PLAINTIFF'S EXHIBIT 71

D.prtocol no. 194
June 3, 1963

To:
The Holy Bishops' Synod
of the Serbian Eastern Orthodox Church
Belgrade, Yugoslavia
Your Holyness,
Brothers, Bishops, members of the Holy Bishops' Synod and Assembly,
Bless.

Acknowledging the receipt of the official document no. 1664/min. 188 of May 20, 1963, I declare: I DO NOT RECOGNIZE THE DECISION OF THE HOLY BISHOPS' ASSEMBLY AND SYNOD ABOUT DIVIDING THIS ONE DIOCESE INTO THREE NEW DIOCESES, NOR RECOGNIZE I MY SUSPENDING AND ABOLISHING FROM MANAGING OF THE DIOCESE, nor shall I give my duty until the Diocesan Church-National Assembly, because the said decisions were made against the Constitution and the Law.

I recognize, besides God's, certainly the competence of the Holy Bishops' Assembly and Synod when they do in compliance with canonical and legal rules. Also, I recognize the judgment of this people here to whom I in a most devoted and faithful way served for 23 years with all my means, knowledge and abilities. That is why I expect judgment of the people gathered on their Church-National As-

sembly. If the Assembly also sentences me, as you did that, that I shall say: as always I do—"O Lord, let Your will be sacred", and shall give up my duty.

Why cannot I recognize the DECISION of the Holy Bishops' Assembly? Because of the same reason that I mentioned in my Report to the Assembly regarding the Patriarchian Delegation. In my case, you brothers Bishops, brace the Constitution of the Patriarchate itself, paragraph 218 which says: "Nobody shall be (cannot be) punished by any church punishment without a previous ques'' ning (hearing)." And nobody heard me, nor asked me to, nor did anything send me to reply to anything that would look like a complaint or report indicating anything as a guilt made. At the same time, you broke also paragraph 67 of the Penal Rules that you yourselves have recently made. Also, you broke paragraphs 219 and 220 of the Constitution of the Patriarchate. On the ground of the paragraph 219 you have put me under forbidance of carrying out clerical duties; and on the basis of paragraph 220 you have dismissed me—as a person who misused church property—from bishopal position of this Diocese and took away from me the right to manage it. However, the fact are:

1.) Several complaints started against me since 1943, especially from communistic cells of America and Canada. The suggested my document to the Diocesan Council in 1957 is the best evidence of that. You yourself know how many times the communistic regime required you to dismiss me, to punish me or at least to decrease by anticommunist and national Serbian activity. Some of the complaints originated within the period 1952-1957. Only one of them, yeromanach Arsenije Tesevic's, was given to me to reply to. My answer I gave and it was filed. At that time, the leading part of the Serbian National Defense (Srpska Narodna Odbrana) under the presidency of Mihailo Ducic, was against me.

Some of the indictments were published, in the form of articles, the papers "Jedinstvo" ("Unity") in Chicago, especially in the column "Diocese or Anarchy". The editor of the column is Mr. Momcilo Djujic. In the same column some other persons take part, and I had to sue the said newspaper, the editor, participants and owner of the newspaper. In the indictment I mentioned Mitar Bulatovic, Savo Vujnovic, Luka Pejovic and other his assistants—Djujic and others. In the meantime, Mr. Luka Pejovic sued the Serbian National Union (Srpski Narodni Savez), but he declared—if I withdraw my indictment against him—he would withdraw his against the Union. Then Dr. Uros Seferovic intervened, and there was a correspondence with the Union, so finally I withdrew my indictment for the sake of peace and unity in our emmigration. But, they did not withdraw their indicments and reports addressed to the Holy Bishops' Synod against me! The said reports the Holy Synod has never sent me for purpose of a reply. Also, there are private letters of some persons here sent to some bishops, friends, and by that I was charged as well. Metropolitan Damaskin himself told me about that, that Mr. Milutin Devrnja wrote a couple of letters against me to Bishop Hrizostom and others.

Mister Metropolitan Damaskin privately told me that there is an accusation of a "certain" lawyer. Most likely, the late Silaski's. That indictment would be exactly 15 years old. Nobody did ever send it to me for a reply! In connection with the same accusation, the present Patriarch himself, during his visit here in 1951 as a Secretary of the Holy Synod, told me the accusation was thrown into a waste paper basket. Well, why did not they send it to me for an answer in due time? As a matter of fact, I officially do not know who is accusing me and for what! Why then do the Holy Bishops' Assembly and Synod punish me? My reply

is—UNDER THE PRESSURE OF THE REGIME! Because, if they wished, they had plenty of time for a canonical and legal investigation and study of all complaints, and then to decide upon.

2.) The Patriarchate delegation last year received some "indicments" against me also from the priests who were the members of the political organization "ZBOR." Then, from the same ones and some others—the members of the Priests Association from their Assembly in South Bend, Indiana. In the year 1953, Duke Momcilo Djujic wrote to me that he condemned writing of the newspaper "Jordanville Missionary" as well as those who try to spoil my reputation. At that time, he praised me as a best Serbian bishop. In 1962 he started attack against me—certainly because of some personal reasons. By one his letter dated Dec. 8, 1949, he attacked priest Glocar and said that he (Glocar) "draws a red furrow in his parish." Now, he begins to defend him, and is supported by some priests in "Zbor", though he attacked them severely in 1958!

On one of our meetings (held on March 5, 1961) he openly atacked Patriarch German who "has completely accepted service to the communistic regime and systemtically destroys our Church in the fatherland," demanding a struggle against the Patriarch to commence "in order to stop the evil." I defended his Holyness the Patriarch. I was supported also by Dr. Milan Gavrilovic and that is why a struggle against the Patriarch did not begin by us. Now, it does not bother Djujic to copy the Synod Epistle to the people here and distributes it to the people against me, together with the members of the movement "Zbor." In a home of a well-known member of "Zbor", e.g., it is known, an insulting circular letter was written. It was signed by Dr. Puric against me! Him and some priests the Delegation of our Patriarchate believed, received their complaints

against me; and now on the basis of those slanders, you brothers the bishops, sentenced me! I asked the Delegation to present me a report: what and by which priest was something written against me; or reported, but nothing was given to me to see.

3.) The Patriarchate Delegation reported to the Assembly. I sent mine. Copies of the report I gave, before the Assembly, to the members of the Delegation. Mister Damaskin made no objection to my report, and Mister Nikaner of Backa—when I asked him "How long the Holy Bishops' Assembly can defend me from the regime?", he did not say anything, but when he received my report, he wrote me it is not true what I asked him. And everybody can confess how much they used to talk to me against the communists and the regime, to me and to everybody. The report of the Delegation is, accordingly, partial, untrue and not in compliance with the reality. On the basis of that report I lost my Diocese, am suspended and sentenced. I categorically request to have a copy of that report to have it compared here with my report in order to see which of them is true, which one should be trusted and which one shouldn't. So far I have been an official member of the Assembly and accordingly I request that and have right to request as a member of the Holy Bishops' Assembly.

How is it possible that all the "numerous indictments" against me the Holy Bishops' Synod keeps for years in its chest of drawers, and has found that I, in conformity with the paragraph 219 of the Constitution, by my life and work cause scandal in the people, and before did not want to realize that—if there is any—but does realize that now, after so many years? Now is my life and work "scandal to the people," as cited in the said paragraph of the Constitution?! But, this is what is true: now my work is more dangerous for the communistic regime, because on the field of struggle I really have become more active. And the

Holy Bishops' Synod knows very well, as I told the Delegation, it should give me all the indictments for a legal reply, not to prejudge a sentence which eventually put on Bishop Dionisije, in case they are false and cannot be proved. Why did these my accusers hide the Holy Bishops' Assembly and Synod?

4. On the basis of the paragraph 220 of the Constitution of the Patriarchate, the paragraph that refers to the material misuses, takes my Diocese away from me, and for the vacant Diocese appoints an administrator. Neither the Patriarchate, nor the Delegation did not require any report concerning the misuses in question, the misuses from the Diocesan Executive Committee or Council, or from me, or from any other official body of the Diocese. It simply received the reports "for granted", and suspended fo from the bishopal duty! These slanders are originated and last since 1951 when Momcilo Djujic refused to come to consecration of Shadeland because, he said, Bishop Dionisije did considerable material misuses. About the misuses it was discussed also on the meeting of the clergy in South Bend, Indiana in front of the Delegation, Mister Damaskin was almost for three months in America last year and he had time—if he wanted to—to see whether at least this indictment was true. He did not do that, but in his false report suggested my dismissal from the Diocese! What would be his next move? To suggest cancelation of my rank because it must be my great sin when I publish my defense the same way the Holy Synod published my sentence! The Holy Bishops' Synod informed the public about its decision; it is right that Bishop Dionisije also informs the public about his defence.

The mentioned paragraph of the Constitution says that it is necessary previously to estimate the truthfulness of a report, to examine and study a matter, hear the accused, even to send him a copy of an indictment for purpose of a

written explanation—and then to make a decision. The Holy Bishops' Synod did not do that; neither did that the Holy Bishops' Assembly, nor did any of the competent. But, it was exactly like: We have to eliminate him, we have to find him a guilt, because his activity, national-political activity "bothers us in the country," as was said in Paris and New York by the Delegation Secretary, protedicom Braza Petrovic! Why does it bother them? The communism puts a pressure on them because of me; the communists do not like what I do against them, and try to destroy that. I understand that, and that is why I cannot accept this Decisions which are unjust, illegal and noncanonical.

Your Holyness, brothers the Bishops, be sure that above you there are two courts: God's and people's. Both shall reach all of you. With what you decided you annoyed this peaceful and good people of Serbian colonies, communities, associations and organizations. You shall also cause a split in our Church and an one in this very Diocese. You know, you enabled Tito's regime to step into this Diocese. Tito wins now and St. Sava loses. But, together with all the patriotic Serbdes I will remain on the line of a struggle against communism. There shall take place split also in other parts of the Church—in dyaspora. You shall see for yourselves how much of the people shall stay with the Patriarchate! This Diocese does not split, but does not allow you to push it under Tito's control. To me, however, let the mercyful God be good, and I repeat: LET HIS HOLY WILL PREVAIL and GLORY TO GOD FOR EVERYTHING.

Peaceful servant
American-Canadian Bishop
Rt. Rev. Bishop Dionisije
Dionisije
(signed)

PLAINTIFFS' EXHIBIT 72

The Holy Synod of Bishops
of the Serbian Orthodox Church
No. 1733 and 1759/min. 335
May 15, 1969
In Belgrade

EXCERPT

From the Minutes of the Meeting of the Holy Assembly of Bishops for 1962.

In these Minutes in which it is noted that the meeting was held June 12, (May 30) 1962, in the Patriarchal Palace in Belgrade, on pages 49 and 50 this is recorded:

"Min. no. 50

HOLY ASSEMBLY No. 19

The Holy Synod of Bishops by Act No. 1712 of June 2, 1962, forwards the proposal of His Grace the American-Canadian Bishop Dionisije that the Diocese entrusted to him be elevated to the rank of Metropolitanate, to effectuate the boundaries of the same and elect two to three vicar bishops.

His Eminence Metropolitan Danilo of Montenegro and Coastal regions reports in behalf of the Legislative Committee.

After due consideration the Holy Assembly of Bishops decides:

'By reason of the proposal of His Grace Bishop of America-Canada Dionisije, that the Diocese under his jurisdiction be elevated to the rank of Metropolitanate, that to the same be added South America and South Africa and that a decision be rendered for the election of two to three vicar bishops to him, to recommend to the Holy Synod of Bishops to appoint a Delegation which will travel to America, study the questions set forth on location in agreement with His Grace the American-Canadian Bishop Dionisije, and to make concrete proposals for the next session of the Holy Assembly of Bishops.'"

That this Excerpt from the indicated Minutes is faithful to its original, is certified and attested unto by

May 15, 1969
the Patriarchate
BELGRADE

(SEAL)

The Supreme Secretary
of the Holy Synod of Bishops
s/ Mladen Mladenovich
Archpriest

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 73

HOLY SYNOD OF BISHOPS
OF THE SERBIAN ORTHODOX CHURCH
No. 1733 and 1759/min. 335

May 15, 1969
IN BELGRADE

EXCERPT

from the Minutes of the meeting of the Holy Synod of Bishops for 1962.

In these minutes on page 258 it is recorded that the meeting of the Holy Synod of Bishops was held on June 29, 1962, in the Patriarchal palace in Belgrade.

Besides other matters which were decided upon at this meeting, on pages 259 and 260 of the Minutes this also is recorded:

"366

1856

The Holy Assembly of Bishops of the Serbian Orthodox Church informs that under Holy Assembly No. 19/min. 50 of June 12, 1962, it rendered the following decision:

'By reason of the proposal of His Grace Bishop of America-Canada Dionisije that the Diocese under his jurisdiction be elevated to the rank of Metropolitanate, that to the same be added South America and South Africa and that a decision be rendered for the election of two to three vicar bishops to him, to recommend to the Holy Synod of Bishops to appoint a delegation which will travel to America, study the questions set forth on location in agreement with His Grace the American-Canadian Bishop Dionisije, and to make concrete proposals for the next session of the Holy Assembly of Bishops.' "

After due consideration the Holy Synod of Bishops

decides:

Fulfilling the decision of the Holy Assembly of Bishops' Holy Assembly No. 19/min. 50 of 1962, the Holy Synod of Bishops appoints a delegation which will go to the United States of America in the month of September of this year.

Appointed to the delegation are:

His Eminence Metropolitan Damaskin of Zagreb,

His Grace Bishop Nikanor of Bachka, and

Protodeacon Branislav Petrovich, secretary of the Diocesan Executive Board of the Archbishopric of Belgrade-Karlovci.

The mission of the delegation is, in agreement with His Grace the American-Canadian Bishop Dionisije and in connection with his submitted proposal, to study on location the questions:

The Elevation of the American-Canadian Diocese to the rank of Metropolitanate, the adding to this Diocese of South America and South Africa, and the election of two to three vicar bishops to the American-Canadian Bishop, as also other things which the Delegation finds appropriate and necessary to do.

Concerning this decision to inform the members of the Delegation and His Grace the American-Canadian Bishop Dionisije.

That this excerpt from the indicated Minutes is faithful to its original is certified and attested unto by

May 15, 1969
The Patriarchate
Belgrade

(SEAL)

Supreme Secretary
of the Holy Synod of Bishops
s/ Mladen Mladenovich
Archpriest

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 74

DIONISIJE, BY THE GRACE OF GOD, AMERICAN-CANADIAN SERBIAN ORTHODOX BISHOP,
St. Sava Monastery, Libertyville, Ill.
May 25, 1963

To all Serbian Orthodox American and Canadian clergy,
To all Church-school congregations,
To all patriotic Serbdom of America and Canada.

Respected reverend fathers, dear brothers,

Today's air mail brought a circular letter from Belgrade with the signatures of His Holiness the Patriarch and remaining members of the Holy Synod of Bishops, directed to all the American and Canadian clergy as well as to many prominent laymen of various cities, which appeals that order and harmony be preserved, that the unity and wholeness of our Holy Church be preserved, but which besides other things, says also this:

"The Holy Church at its annual session this year of the Holy Assembly of Bishops rendered several decisions having in view your spiritual needs and progress. She thus obligingly met the often repeated proposals of the clergy

and people, that for such extensive territory in the New World more dioceses be established and more Bishops appointed, and so in place of the former American-Canadian Diocese She formed three dioceses: The Mid-Eastern American-Canadian Diocese, the Mid-Western American Diocese, and the Western American Diocese. As bishop of the Mid-Eastern American-Canadian Diocese She elected the Very Reverend Archpriest Stevan Lastavica, pastor in Windsor. The Rt. Rev. Bishop Dionisije remained for the Mid-Western American Diocese. However, since he was because of a number of charges, upon the recommendation of the Holy Assembly of Bishops and by decision of the Holy Synod of Bishops, temporarily relieved of duties and placed under suspension of priestly functions until a final decision by the canonical court, the administration of that diocese is entrusted to the temporary administration of the Very Reverend Archimandrite Dr. Firmilian Ocokoljich. The Very Rev. Archimandrite Gregory Udicki, pastor in Youngwood, is appointed as temporary administrator of the Western-American Diocese."

The Circular was obviously made in a great hurry and in some office outside the Patriarchate for the sake of multiplication, and it was left without a date, and without the number of the protocol number of the Holy Synod of Bishops. The circular in essence agrees with the news in the Yugoslav press, which Tanjug transmitted to the American press.

The mentioned circular contains two facts: the first, division of this one Diocese into three new dioceses, and second, my temporary release from duties as the American-Canadian Bishop and being placed under suspension of priestly functions until a final verdict concerning the "many charges" which the Holy Synod of Bishops received against me. On both of these facts I give the following reply:

1. THE DIVISION OF THIS DIOCESE INTO THREE, WAS RENDERED WITHOUT CONSULTATION AND AGREEMENT EITHER OF THE PATRIARCHAL COUNCIL OF THE PATRIARCHATE ITSELF, ART. 16 of the CONSTITUTION, nor with the Diocesan Council and people of this Diocese, which needs to receive and to support the new dioceses and bishops.

By this act the Holy Assembly of Bishops in Belgrade committed an outrage towards this people and Diocese; it also annulled so to speak its Constitution. It had taken from the same even this autonomy which it had heretofore, annulled many articles of the Diocesan Constitution, and in so doing annulled article 15, point 1, of its Constitution of the Serbian Orthodox Church.

Never did our Diocesan Church-National Assembly, or any other diocesan body propose any kind of division of this Diocese into more dioceses. To the contrary, from here was sought that the territory of South America and South Africa be added to the territory of this Diocese. Tito's communistic authorities opposed this, and not only did they not allow it, but ordered Patriarch Vikentije to take from my administration the entire diaspora which was given to me by Patriarch Gavrilo. But I nevertheless organized the entire Serbian Orthodox Church in foreign countries, outside Yugoslavia.

When the Delegation from the Patriarchate was here last year, it stated, when we here sought certain changes and amendments to our diocesan Constitution, that neither the Constitution of our Diocese, nor the Constitution of the Patriarchate, can be and must not be changed today in these times, when the communists and various elements, for example the Clergy Association, and others, could infiltrate the organism of the Church and thusly disturb Her normal life and development. However, now the Holy Assembly of Bishops itself changes that Constitution, violates

its decisions and renders new ones! That cannot be interpreted in any other way than pressure of the communist regime upon our martyred Church in Yugoslavia.

The appointing of Archpriest Stevan Lastavica, who is in this Diocese since only three years ago for the Mid-Eastern American-Canadian Diocese without any agreement or at least consultation of our people, means that the Holy Assembly of Bishops has completely ignored the petitions, wishes and demands of the Church-National Assemblies of this Diocese, and it appointed, that is elected, that man who is against every autonomy of this Diocese, who is for full subordination to Belgrade, which can be interpreted as both ecclesiastical and political. It means that even in the future the Holy Assembly of Bishops will not honor the petitions, desires and demands of this Diocese and its faithful, but will appoint as bishops those it wishes. However, it is known that even in many lesser and simpler questions our Church does not have a free hand, nor freedom of work and action, so why then can't it be seen that this is sought and desired by Tito's communist regime which is hindered by the work of this Diocese, which endeavors through bishops loyal to it to subordinate all this part of free Serbdom! It is clear that the communist regime in Yugoslavia, which has broken the unity of the Serbian Orthodox Church with the creation of the Macedonian church, is here, in America and Canada, in the free world, breaking the unity and wholeness of the Serbian Church in foreign countries by breaking our Diocese. By not allowing His Holiness the Patriarch to annex the territory of South America and Africa to this Diocese, is hindering the strengthening and growth of our Diocese, while the breaking up of this Diocese shows clearly the communistic aims.

2. RELATIVE TO THE TEMPORARY release from duties as American-Canadian Bishop and being placed under suspension of priestly functions until final decision of the canonical court because of "many charges," I state the following:

In recent years the Holy Assembly of Bishops has warned me several times "not to preoccupy myself with politics" for the reason that I fight against communism in all its forms. It was cited that this hinders them in Yugoslavia, which means, they (the Patriarch and Synod) are being pressured by the communist regime and forced to take some action against Me. The President of the Delegation himself, Metropolitan Damaskin, told me that I should establish ties and cooperation with Tito's communistic representatives in America and Canada, which I rejected. He protested because I on two or three occasions, at banquets of Church-school congregations, openly attacked communism and Tito, and stated that I am for the ideological struggle of General Drazha Mihailovich. Therefore, I am being persecuted by the communistic regime through our Patriarchate in Belgrade!

Concerning the "many charges" against Me, which are directed to the Holy Synod and the Patriarch, I have on several occasions given statements and stand by the same: that I do not flee from any kind of just Court, either of the Holy Assembly of Bishops, or of our people, or an American one, nor of any kind. When the Delegation was here last year I openly asked that all the charges be sent to me for a lawful reply, so I could see who is charging Me, and why he is charging me! I sought and am seeking my right as an American citizen to a lawful defense and all the more so because I do not feel guilty. Neither the Holy Synod nor the Patriarch have sent me a single solitary

complaint for reply for more than ten years! What were they waiting for if I was guilty? By adjudging Me this punishment, Article 218 of the Constitution of the Serbian Orthodox Church is violated, which states that no one can be punished with any punishment without a prior hearing. This is specifically prescribed by Church Penal Law /Art. 37. Bishop Milas/! Therefore, since I was not given the right to a prior hearing, this verdict upon Me is UN-CANONICAL.

In no way did I transgress my episcopal oath; in no way did I violate the directives and decisions of higher church authorities, nor have I acted against the holy canons and teachings of our Holy Church. THEREFORE, I DO NOT RECOGNIZE EITHER THE DIVISION OF OUR DIOCESE, NOR THE PUNISHMENT ADJUDGED ME, RENDERED WITHOUT ANY KIND OF COURT PROCESS, WITHOUT ANY KIND OF INVESTIGATION, without any kind of reply from Me. If it be proven that I am guilty, I will accept every adjudged penalty, but beforehand nohow and never! I shall appeal such an unlawful penalty wherever I can find the possibility. For this reason I am not surrendering the duties as American-Canadian Bishop until the Diocesan Church-National Assembly which will be held this fall, and not even then if the people do not find me guilty. And until regular church court process before a higher church forum, I do not either recognize the suspension from priestly functions. After such due process, if they find Me guilty and am judged, I will accept every punishment.

I CALL UPON ALL AMERICAN AND CANADIAN SERBDOM, CLERGY AND CHURCH SCHOOL CONGREGATIONS TO REJECT AS UNJUST AND UNCANONICAL THE DECISION OF THE HOLY ASSEMBLY OF BISHOPS AND SYNOD.

We have until now preserved the unity of the Serbian Orthodox Church, that is, of our Diocese and our Patriarchate. In 1951, when the present Patriarch German, then secretary of the Holy Synod of Bishops, was in America, I together with Archimandrite Firmilian, told him: "We shall always remain for the wholeness of our Holy Church, if the Holy Assembly of Bishops and the Patriarch do not mingle in the internal order and affairs of our Diocese." Up to now they did not interfere, because they somehow resisted Tito's assaults. Later, when the Delegation of our Patriarchate was here last year I personally pleaded: THAT THE HOLY ASSEMBLY OF BISHOPS NOT BY SOME THOUGHTLESS GESTURE PROVOKE THIS OUR GOOD PEOPLE. By this which is now being done, it can be seen that My plea was not considered, and Tito's communistic regime does not choose its means for liquidating its enemies. Our people of this Diocese are now disturbed and can easily decide, for the sake of protecting their rights, to not recognize in the future any decision of the church authorities from Yugoslavia, as they do not recognize any kind of decision of the communistic authorities, nor even Tito's communistic totalitarian regime. Here I cannot stop them: the fault for that will fall equally upon Tito's communistic regime and upon the Holy Assembly of Bishops and upon the Patriarch himself, His Holiness German. +

At the end I pray to the merciful God and the protector of our Holy Church, Saint Sava, to gather all patriotic Serbdom of the whole world, to continue with us the struggle against communism in the world, for the good of our new fatherland America and Canada—for the preservation of their constitutions, and for the liberation from communism of our enslaved Serbian People.

Given in Our Residence
in the Serbian Orthodox Monastery of St. Sava,
Libertyville, Illinois
SERBIAN ORTHODOX AMERICAN CANADIAN
Bishop s/ +Dionisije

Responsibility for this will also fall on Mr. Momchilo Djujich and his group for his slanderous and disruptive actions and propaganda among the American and Canadian Serbs. Then responsibility will also fall on the group of priests of this Diocese who are members of the "Priests Association," who in their resolutions that do not state that they are for the King and that they are fighters against communism, emphasized loyalty and submission to the Patriarchate, but condemn Me because I advocate and defend the autonomy of this Diocese.

All of them, consciously or unconsciously have given moral support to the communistic line of attack on Me, which long ago sought my removal. Many of them have written complaints and leaflets against Me to Belgrade personally seeking my removal. Upon their catastrophic action came the mentioned unjust, unlawful and uncanonical decision of the Holy Assembly of Bishops.

(translator's certification omitted)

PLAINTIFF'S EXHIBIT 75
Translation
SERBIAN EASTERN ORTHODOX DIOCESE
for the United States of America and Canda
Serbian St. Sava Monastery
Libertyville, Ill.
U.S.A.

June 6, 1963.

Diocesan Council-Plenum of the
Serbian Orthodox American-Canadian Diocese.
Esteemed brothers, Reverend fathers,

On today's very important and fateful meeting for our further life and existance of our Diocese and Church outside of Yugoslavia, I consider it for my duty to submit to the following:

1. Considering the judgment imposed upon me as illegal and unjut, I declared: I DO NOT RECOGNIZE IT, until investigation upon me is first done and until all complaints are not sent to me for legal answer. Up to today I did not receive anything. I asked for this several times from Belgrade.

2. Since the various complaints and leaflets of intrigues were following from here, from America and Canada against me as American-Canadian Bishop, I consider it proper to inform this people to be acquainted with it, and that Diocesan Plenum makes investigation of these complaints. For I am with this people 23 years, and let this people judge me, if I am guilty. Therefore, I ask Diocesan Ecclesiastical Court with Diocesan Plenum urgently ask the Holy Bishops Assembly that the same complaining material in duplicate send here, and then open investigation on everything and finish with it before our Church-People's Assembly, which will bring decision whether or not want me for a bishop of this Diocese or not. I will obey such a decision, if it done according to all legal rules, and submit to it.

3. Until then, that all complaints are not investigated, until plaintiffs see me eye to eye, and given me right to answer all complaints, and then adjudge me here or send it to the Holy Bishops Assembly with their recommendations, I cannot surrender my duty as the Bishop of this Diocese. If all this is not finished before our Church-People's Assembly, I will on recommendation of our Assembly, I repeat, submit to it.

4. I cannot surrender the duty of governing the Diocese also because I do not know how to do it, since Archmandrite Firmilian is appointed as an administrator the new Midwest Diocese and not the whole (old) Diocese. the question is risen whether or not the Diocesan Plenum recongnises division of one Diocese into three new ones or not? If it recognises, this should be sanctioned by Diocesan Church-People's Assembly, before it can be settled, if it does not recognize, then drops off any kind of surrendering of duty, until first everything is clear.

5. The duty of governing of the Diocese I cannot surrender also because according charters of our Diocese, I am from Assembly to Assembly official president of our boards, who handle our properties and the Diocese. When our Church-People's Assembly take away this duty, then I do not givern our monasteries, and in my place comes another Bishop, accepted by the Assembly.

With blessings

Bishop

That this photocopy is exact with its original which it refers to, and which is kept in the archive of the Holy Episcopal Synod.

May 28, 1969 Supreme Secretary,

(Seal) Belgrade of the Holy Episcopal Synod,

Very Rev. Mladen Mladenovich (signed)

P.S. (hand written note)

Besides that I consider and have conviction that mentioned decision was brought under pressure of communist regime in Yugoslavia.

PLAINTIFFS' EXHIBIT 76

DIONISIJE, BY THE GRACE OF GOD, SERBIAN ORTHODOX BISHOP OF AMERICA AND CANADA,
St. SAVA MONASTERY, Libertyville, Ill.

E. NUMBER 194. June 3, 1963

To all clergy

To all Church-school congregations

Members of the Diocesan Plenum and

To all patriotic Serbdom of America and Canada:

Reverend fathers, and dear brothers,

By reason of the decisions of the Holy Assembly of Bishops and Synod concerning the division of this Diocese and my "temporary" suspension, I replied to them with this letter:

"Your Holiness,

Brother Bishops, members of the Holy Assembly of Bishops and Synod, give your blessing,

"Acknowledging receipt of act number 1664/Min. 188 of May 10, of this year, I declare: I DO NOT RECOGNIZE THE DECISIONS OF THE HOLY ASSEMBLY OF BISHOPS AND SYNOD CONCERNING THE DIVISION OF THIS ONE DIOCESE INTO THREE NEW DIOCESES, NOR MY SUSPENSION AND REMOVAL FROM THE ADMINISTRATION OF THE DIOCESE, nor shall I surrender the duties up until the Diocesan Church-National Assembly, because the mentioned decisions are unconstitutionally and unlawfully rendered.

"I recognize over me, besides that of God's also, to be sure, the jurisdiction of the Holy Assembly of Bishops and Synod when they adhere to canonical and lawful regulations. Then I also recognize the judgment of these people whom I have most loyally and most faithfully served in every way that I could and knew for 23 full years. That is why I await also the judgment of these people gathered at their Church-National Assembly. If they also condemn me as you have done, then I shall as always say, Lord, let Thy holy will be done, and I will surrender the duties.

"Why can I not recognize the DECISIONS of the Holy Assembly of Bishops? For the same reasons I have cited already in my report to the Assembly concerning the Patriarchal delegation. Relative to my case, you have, brother

bishops, violated the Constitution of the Patriarchate itself, article 218, which states: 'No one can be punished by any church punishment without a prior hearing.' And no one gave me a hearing, nor sought this from me, nor sent me anything for a reply which could even resemble any kind of complaint, or a submission concerning anything which could be imputed to me as a fault. At the same time you have violated article 67 of the Penal Code which you have recently adopted. You also violated articles 219 and 220 of the Constitution of the Serbian Patriarchate. On the basis of article 219 you have suspended me from priestly functions, and on the basis of article 220, you have deprived me from the position as Bishop of this Diocese as a person who has embezzled church property, and have taken from me the right to administer the same. However, the facts are these:

"1. Various charges against me began back in 1943, especially from the communistic cells in America and Canada. My enclosed report to the Diocesan Council in 1957 best testifies to this. You yourselves know how many times the communist regime sought from you my removal, punishment, or at least that I lessen my anticommunistic and national Serbian activity. Some of those charges originated in the period between 1952 up to 1957. Only one, that of priest-monk Arsenije Tosevich, was sent to me for my reply, which I have given, and the same was left among the acts. During that time the leadership of the Serbian National Defense, under the presidency of Michael Duchich, was against me.

"The Chicago newspaper *Unity* revealed some charges in the form of articles, especially in the Column 'Diocese or Anarchy,' by Mr. Momchilo Djuijich. Others also collaborated and so I had to sue that newspaper at court, as also

its editor, collaborators and owner. In the suit, I named Mitar Bulatovich, Sava Vujnovich, Luka Pejovich, and the remaining collaborators, Djuijich and others. In the meanwhile Luka Pejovich sued the Serb National Federation, but declared that that if I would withdraw my suit against him, then he would withdraw his suit against the Serb National Federation. There ensued then the intervention of Dr. Urosh Seferovich and correspondence with the Federation, and finally I withdrew my complaint for the sake of peace and unity in our emigration. Yes, but they did not withdraw their charges and submissions against me directed to the Holy Synod of Bishops! The Holy Synod never did send me those submissions for reply. Included here are also private letters of some persons from here to various bishops—friends, and this too is taken as an aggravated circumstance against me. Concerning this, Metropolitan Damaskin himself told me that Milutin Devernja wrote several letters against me to Bishop Hrizostom and others.

"Metropolitan Damaskin told me privately that there also exists a complaint from 'some' attorney, probably that of the late Silaski. That complaint would be exactly 15 years old. No one ever sent it to me for reply! Concerning this same complaint, the present Patriarch when he was here in 1951 as secretary of the Holy Synod, told me that they threw it in the waste basket. Fine, why didn't they send it to me for reply in its own time? Actually I do not know officially who is accusing me and why he is accusing me! Why then does the Holy Assembly of Bishops and Synod punish me? My answer is UNDER PRESSURE OF THE REGIME! Because if they wanted to, they had plenty of time to canonically and legally investigate and examine all charges, and then to render a judgment.

"2. The Patriarchal delegation last year also received some 'charges' against me from priests who are enrolled in the political organization 'Zbor,' then again from these and others enrolled in the Priest's Association at their assembly in South Bend, Indiana. In 1958, Momchilo Djuijich wrote me that he condemns the Jordanville Missionary, as well as those who are terribly throwing mud at me. He at that time praised me as the very best Serbian Bishop, while in 1962 he began an attack, most likely from some personal motivations. In one of his letters of December 8, 1949, he attacked the priest Glocar and said that he, Glocar, 'is pulling a red furrow in his parish.' Now he began to defend him together with some priests from 'ZBOR,' although he attacked terribly the same year!

"At one of our enclosed meetings of March 5, 1961, he openly attacked Patriarch German, how 'he completely placed himself in the service of the communistic regime and systematically destroying our Church in the fatherland,' seeking that a struggle be opened against the Patriarch, 'in order to stand in the way of this evil.' I defended His Holiness the Patriarch. I was joined in the same spirit by Dr. Milan Gavrilovich, so that the struggle against the Patriarch did not begin from our midst. That does not prevent Momchilo Djuijich now from photographing the Synodal epistle for these people and from circulating it among the people against me, together with the members of the movement ZBOR. It is known, for example, that a leaflet was written in the home of a prominent member of the ZBOR against me which was signed by Dr. Purich! The Delegation of our Church believed him and some of the priests, received their complaints against me, and now, on the basis of those slanders, you, brother Bishops of the fatherland, have condemned me—without a hearing!

I sought from the Delegation a report on what did any of the priests write or submit against me, but that was not given to me for examination.

"3. The Patriarchal delegation submitted its report to the Assembly. I have submitted mine. I send a copy of my report to members of the Delegation prior to the Assembly. Metropolitan Damaskin did not make a single remark about my report, while Bishop Nikanor, when I asked him: How long can the Holy Assembly of Bishops defend me from the regime, he remained silent, but when he received my report he wrote me that it does not correspond to the truth that I asked him this. But how much they both spoke against communism and the regime, to me and to everyone, can be proven and confirmed. The Report of the Delegation is therefore one-sided, inaccurate and does not correspond to the truth. On the basis of that report I am deprived of a Diocese, suspended and judged. I categorically seek a copy of that report that we can compare it here with my report, to see which is accurate, which one can be believed and which one not. Up to now I was an official member of the Assembly, so I seek this and have a right to this as a member of the Holy Assembly of Bishops.

"How is it that the Holy Synod held all those 'numerous charges' against me for years in its desk-drawers, and now has discovered, according to article 219 of the Constitution, that by my life and work I scandalize the people, but before it did not want to see if this was so, but now, after so many years? Only now is my life and work 'scandalizing to the people,' as stated in the mentioned article of the Constitution?! But this will be correct, that my work is now more dangerous for the communistic regime, because I became more active in that field. And the Holy Synod

knows well as I have also told the Delegation, to send to me all those complaints for a lawful reply, to not prejudicate the penalty which would eventually be placed upon Bishop Dionisije, if the complaints be false and cannot be proven. (sic!) Why did the Holy Synod and Assembly conceal my accusers?

"4. On the basis of article 220 of the Constitution of the Patriarchate, which speaks of material abuses, I am deprived of a Diocese, and an administrator is appointed as for a vacant—widowed Diocese. Neither the Patriarchate nor the Delegation sought any kind of report concerning the mentioned abuses from the Diocesan Auditing Board or Council of this Diocese, or from me or from any official body of the Diocese. It simply received those submissions 'as well as done' and suspended me from episcopal duties! Those slanders extend way back from 1951 when Momchilo Djujich refused to come to the consecration of Shadeland, for he says that Bishop Dionisije committed great material embezzlements. Those embezzlements were spoken of also at the assembly of priests in South Bend last November in the presence of the Delegation. Metropolitan Damaskin was in America last year for almost three months, and he had the time if he wished, to verify at least this complaint. He didn't do this, but with his false report recommended that I be relieved of my Diocese! What would be his next step? To recommend me for defrocking, for it seems, this too is my great sin, that I am publishing my defense in precisely the same manner as the Holy Synod published its judgment upon me! The Holy Synod came out in public with its decision, so it is right that Bishop Dionisije also comes out in public with his defense.

"The mentioned article of the Constitution states, that it is first necessary to evaluate the veracity of the sub-

mission, to ascertain and investigate the matter, to hear the accused, even to send him a transcription of the submission for a written explanation, and afterwards to render its decision. The Holy Synod did not do this, neither did the Holy Assembly of Bishops, nor anyone of the competent authorities! But according to that saying: we must execute him, we must find a fault in him, because his work, his national political work 'hinders us in the land,' as was stated in Paris and in New York by the secretary of the Delegation Protodeacon Brana Petrovich! Why does it hinder them? Communism is pressuring them because of me. The communists do not like this what I am doing against them and they wish to suffocate it. I understand this, and this is precisely why I cannot accept these decisions, which are unjust, unlawful and uncanonical.

"Your Holiness, brother Bishops, be convinced that over us there are two judgments: God's and the people's. Both will overtake you. By this which you have decided you have disturbed this peaceful and good people of the Serbian colonies, congregations, societies and organizations. You shall also cause the splitting of our Church and the splitting within this very Diocese. Know that you have made it possible for Tito's regime to take a footstep in this Diocese. Tito now gains and Saint Sava loses. But I shall remain together with the entire patriotic Serbdom on the line of struggle against communism. Splitting shall ensue also in the remaining parts of the Church in Diaspora. You shall see for yourselves how many people will remain with the present Patriarchate! This Diocese is not splitting away; it will not allow for you to force it under Tito's control. As for Me, however, may the merciful Lord be merciful, and I repeat, LET HIS HOLY WILL BE DONE, AND LET THERE BE PRAISE TO GOD FOR ALL.

Humble obedient one
SERBIAN ORTHODOX AMERICAN-CANADIAN
BISHOP DIONISIJE"

The Holy Synod of Bishops of the
Serbian Orthodox Church, Belgrade
Yugoslavia

—which is hereby sent to you for the sake of information with the recommendation that you acquaint your flock, the church membership and all patriotic Serbdom concerning this.

with blessings,
Serbian Orthodox American-Canadian
BISHOP s/ +Dionisije

(translator's certification omitted)

PLAINTIFFS' EXHIBIT 77

BISHOP DIONISIJE:

FOR CHURCH RIGHTS OF THE FREE SERBIAN EMIGRATION AND AMERICAN-CANADIAN SERBDOM—Legitimacy of the Serbian Orthodox American-Canadian Diocese—

OUR PROPOSALS TO THE HOLY ASSEMBLY OF BISHOPS

The PLENUM, and that means all Diocesan Committees —held its Special meeting on June 6th of this year, at which, by reason of the decisions concerning the Division of the Diocese and my suspension as Bishop of this Diocese, it rendered the following decisions:

"1. The PLENUM of the Serbian Orthodox American-Canadian Diocese /after the decisions of the Holy Assembly of Bishops and Synod were read/ states, that it is not competent either to receive nor to reject the question of the division of the American-Canadian Diocese into three dioceses, and therefore the entire subject is transmitted to the Church-National Assembly, which because of the urgency of the matter, is summoned for the 6th, 7th and 8th of August, 1963, in St. Sava Monastery in Libertyville, and in accordance with the Rules and conclusions of the last Church-National Assembly held in the month of September of 1960. This decision was unanimously adopted.

"2. To direct to the Holy Synod a letter with the most fervent request that a Synodal investigating commission be sent as soon as possible at the expense of the accuser, which will immediately investigate and conclude, the question of charges against our Bishop His Grace Dionisije, since according to the above decision no changes in administration of the Diocese can be carried out until a decision is made by the scheduled Church-National Assembly. All present voted for this point /36/ except two."

I opened the meeting and announced that there are only two points on the agenda:

a—THE DIVISION OF THE DIOCESE INTO THREE, RECEIVING THE ADMINISTRATOR OF THE SAME AS WAS DESIGNATED BY THE HOLY ASSEMBLY OF BISHOPS, and

b—THE RECEPTION OF H.M. THE KING ON JULY 4th AT ST. SAVA MONASTERY.

Archpriest Miodrag Mijatovich immediately made a sharp comment concerning who presides over the meeting. He sought that the presiding be immediately turned over to the appointed administrator Archimandrite Firmillian Ockoljich, who, although he was in the building, did not even want to attend the meeting at which I was presiding. I replied that I have not surrendered the duties, and that I have the right to preside, but because these Decisions from Belgrade are related to me personally, I will turn over the presiding to the first vice-president of the Diocesan Council Mr. Svetozar Maravich, who accepted it and then turned over the presiding to Dr. Uros Seferovich, the second vice-president of the Diocesan Council.

Our legal advisor, attorney Mr. Nicholas Stepanovich, having been asked how is it according to law, replied that in cases similar to ours, according to article 138 of the Constitution of the Patriarchate, since this regulation does not appear in our Diocesan Constitution, the duty of presiding at meetings of the Diocesan Council is the duty of the vice-president of the Council, which was done, therefore Archimandrite Firmillian, who has not yet received the duties of administrator, cannot even preside.

The legal advisor of the Diocese then explained the legitimacy of this Diocese, and that for it was made its own Constitution which gives it the right to independently order and administer its affairs, property and work in ac-

cordance with church laws and the laws of the countries of America and Canada (Art. 2, 3 and others). As long as this Constitution is not legally changed, this Diocese cannot submit to other decisions, and changes to this Constitution can be made only by our Church-National Assembly, and then they are submitted to higher church authorities for approval. The Constitution of 1927 and the Constitution of 1939 was adopted in such a manner. For this Diocese our "Church-national Assembly is the main legislative and controlling body."

The DECISIONS of the Holy Assembly of Bishops were then read concerning the division of this Diocese into three separate Dioceses. The first part of that decision states: "The Holy Assembly of Bishops of the Serbian Orthodox Church at its meeting of May 10, 1963, under Holy Assembly No. 20 and 21/Min. 77, rendered this decision: upon the request of the Church-National Assembly of the American-Canadian Diocese and the American-Canadian Bishop No. 115, of February 13, 1962, and number 127, of May 25, 1962, that in consideration of the largeness and territorial expanse of the Diocese it is necessary to elect more bishops for this territory, the Holy Assembly of Bishops, on the basis of article 16 of the Constitution of the Serbian Orthodox Church, establishes from the heretofore American-Canadian Diocese three dioceses" . . .

I sought the floor and explained that the Holy Assembly of Bishops has inaccurately cited and quoted the mentioned acts of this Diocese. Because neither by its act of number 115, February 13, 1962 nor by act number 127 of May 25, 1962, did this Diocese seek at all the division of our Diocese into three separate ones. Our act no. 115 relates only to the revision of the Constitution of this Diocese, in which it is stated, as a reply to a question of the Holy Synod of Bishops, that the Constitution be revised, and after this all

will be sent to Belgrade, and that this will probably be brought by our Diocesan delegation. This delegation did not come to pass, because the Holy Synod did not wish to receive the delegation without me. In the mentioned act is the warning that THE AUTONOMY AND RIGHTS OF THIS PEOPLE MUST BE TAKEN INTO ACCOUNT, THAT THE PEOPLE MUST BE ASKED AND CONSULTED CONCERNING THE ELECTION OF THEIR FUTURE BISHOPS, AND THAT THIS IS THE GOLDEN MEAN, WHICH WILL SATISFY BOTH THE RIGHTS OF THE HOLY ASSEMBLY OF BISHOPS AND THE RIGHTS OF THIS PEOPLE. If the Holy Assembly of Bishops adopts this view, then it will assure that this people will never separate or break away from our Patriarchate.

Act no. 127 of this Diocese of May 25, 1962, was a formal proposal of our Church-National Assembly concerning the elevation of this Diocese to the rank of METROPOLITANATE and the election of two-three auxiliary bishops-vicars for one and undivided Diocese. In the same act it was sought that the territory of South America and Africa be annexed to this Diocese. In that act I stated that the question be resolved at first in principle, and later, as to who shall be the Metropolitan and his auxiliary bishops, will be decided by agreement with these people. I have said that I personally do not pretend to that position of Metropolitan, unless this is wanted by this people and if this be desired by the Holy Assembly of Bishops. And at the end of this lengthy act I said that by this compromise decision the desires and needs of this people would be satisfied, who bear upon themselves the entire burden of church life, who support their Bishop, priests, churches, schools and preserve the Serbian heritage of St. Sava.

Since the Holy Assembly of Bishops of 1962 did not give any consideration to these proposals, but sent a Delegation to America, I withdrew all those proposals and said that I will never again propose anything in that direction; then the Holy Assembly of Bishops and the Patriarch will see for themselves what they are doing, and to what that politics of theirs will lead, for not only not giving this people some greater rights, but are taking from them even these rights which this people has according to the letter of their Constitution and the laws of these lands in which they live.

DICTATE OF THE COMMUNISTIC REGIME

The misquoting of both of our acts mentioned on the part of the Holy Assembly of Bishops in Belgrade clearly indicates that the Holy Assembly of Bishops was not free in the rendering of the above decision. Had it been free, it would not have twisted the content of our proposals and would not have mentioned that which was not sought from here. The Assembly would have simply accepted them favorably or rejected them, as it has done before. Who could have ordered this? Only Tito's communistic regime which has made a devilish plan for the division of this Diocese and for my removal from duties as Bishop of the Diocese. Tito's regime called this plan "OPERATION DIONISIJE."

These two facts testify that this is correct: 1. according to certain reports from Belgrade, from the ranks of the episcopate, it was learned that Tito's regime ordered the Patriarch, and clerks of the UDBA visited every Bishop with orders from the regime that Bishop Dionisije must at all costs be removed, because he hinders them—the communists. The Patriarch himself told this to some of the bishops loyal to him. However, when some bishops rebelled and protested, the head of the religious commission, Moma Markovich, told them verbatim: "Do you not see the reality,

that we change bishops even in America and that we shall most assuredly punish mercilessly here everyone's anti-people's work." When they again rebelled and did not desire Archpriest Lastavica as a Bishop, the Patriarch himself then told them: "Beware that the fate of Dionisije doesn't befall you!" The second fact is, that this internal tearing apart of the Diocese in no way and manner serves the interests of the Church, neither of our Patriarchate nor here in a foreign land. Whom and what could three weak dioceses help, when they cannot even support themselves financially?! The Holy Assembly of Bishops, in which 20 educated men sit, is not so naive that it cannot see this and not comprehend. It knows that this Diocese can only if strong help its Church in the old country, as was even expressed by Metropolitan Damaskin. Then whom does this serve? Only Tito's regime, to weaken and break apart the Serbian emigration, to weaken and break apart this only free Serbian Diocese, and to infiltrate in her midst, in her life. The nationalistic minuses are great for those who from here are pushing that question, that communistic vehicle, that communistic plan. Set aside the blind hate against me by the members of Ljotic's "zbor," or of Djujich, or even of Tito's authorities and their agents, but what's the matter with the clergy from the Priests Association? Those priests have forgotten that they are God's servants and of these people, that our people built for them nice parish homes, have given them decent and good salaries, respect and value them as their spiritual leaders and teachers (it is true however that the priests have worked and endeavor as much and as best they can) but in this question those priests are not cooperating with their people, do not defend their rights! That is why our people will have their word to say concerning these their priests who do not defend their rights! Those priests seek

blind obedience to the Holy Synod of Bishops and the Patriarch, which in other words means subordination of this Diocese to Tito's influence. And I charge all such as they before the Serbian public and the entire Serbian patriotic emigration. They impute to me the separation and breaking away from the Patriarchate, as if though I am doing that, while they by their work are forcing this people to revolt against the Serbian Patriarch and the Holy Assembly of Bishops! Who then is creating a schism? They and Belgrade! This people desires to preserve its Diocese whole and progressive and that it remain in unity with its Patriarchate, but they are breaking it with their proposals to Belgrade, by telephone conversations, leaflets and submissions of every kind.

Because of both of these influences the Holy Assembly of Bishops violated even article 16 of its own Constitution, because the decision of reorganization, division and creation of three dioceses was not rendered together with the Patriarchal Council, which should also have in it a representative of this Diocese, but who was never invited nor sought from this Diocese.

Even though Metropolitan Damaskin declared to us that the Constitution in these circumstances must not and cannot be changed, the Holy Assembly of Bishops violated that and abolished the Diocese of Budimlje-Polim, then wrote off five Serbian dioceses in the South and transferred them to the "Macedonian Church," again in accordance with the dictates of the regime. And now by that same dictate is also rending this Diocese and leading into it a Trojan horse —communistic influence and dictates.

When Archpriest Milan Brkich informed me, while he was last year yet in Belgrade, that our Patriarch thinks that this Diocese be divided into several independent dioceses, I replied that this cannot be accepted, that I do not adopt

it, and that I am sure that our people would not accept it either. Our Patriarch is informed of this.

Finally I stated at the meeting of the Plenum, that this Diocese was an organic part of our Patriarchate, is not bound by Tito's communistic laws and regulations which relate to the Church. If we were bound by the laws of the Kingdom of Yugoslavia, these of Tito do not bind us.

SURRENDERING OF THE DUTIES

Again at the meeting of the Plenum the question of surrendering my duties arose. Archimandrite Firmilian stated that he came to receive the duties as Administrator of the Diocese, because he was so ordered by the Holy Synod of Bishops from Belgrade. Archpriest Mijatovich and he, who took the viewpoint, stated: the question of division of the Diocese is second, but the primary, the main thing, is that Bishop Dionisije here today surrenders the duty because he is removed and as such can no longer administer the Diocese. He needs to surrender the duty to the appointed administrator Archimandrite Firmilian. The presiding officer asked me: Do I wish to surrender the duty? I stood and read the following statement:

1. I do not recognize the judgment upon me of the Holy Assembly and Synod of Bishops, which is unlawful, because it violates the Constitution of the Serbian Orthodox Church, article 111, which states: "THE HOLY ASSEMBLY OF BISHOPS CAN REMOVE A DIOCESAN BISHOP FROM ADMINISTRATION ONLY AFTER CANONICAL JUDGEMENT, OR RELIEVE HIM UPON PROVEN DISABILITY . . . AS ALSO ON THE BASIS OF A PETITION FOR RETIREMENT." I am removed from the Diocese without any kind of meeting, without any investigation, without any canonical judgment

and verdict, which is in violation of article 218 of the Constitution of the Patriarchate, as also article 67 of the Penal code of the Serbian Orthodox Church.

2. I will not surrender the duties of administering the Diocese until those unlawful divisions are not [sic] rescinded, and then until regular canonical investigating procedures are instituted against me, that I can be given a prior hearing, that I reply to those "charges," and only then, if I be found guilty, let me also be sentenced. If our Church-National Assembly also finds me guilty, I will submit to such a judgment. But I shall defend my rights also as a citizen of my free new homeland America."

Following this Archimandrite Firmilian spoke that the Holy Assembly of Bishops should be obeyed and asked me directly to surrender the duties to him. I replied that even the Holy Assembly of Bishops cannot be obeyed when it itself violates laws, and I as a member of the Assembly have that right to tell them. Then I stated that I will not surrender the duties. Archimandrite Firmilian then stated that he can no longer consider me his Bishop, to which I replied to him, when such is the case, he is no longer our Episcopal surrogate. He then left the meeting. In agreement with Archimandrite Firmilian were Archpriest Milan Brkich, Archpriest Miodrag Mijatovich, and Archpriest Miodrag Djurich. They all submitted their resignations and left the meeting. Only two other members of the Plenum agreed with them, whereas the overwhelming majority rendered the second part of its decision which is stated above.

The same evening in Gary, Indiana, in the residence of the priest Petakovich, were gathered: Archimandrite Firmilian, Archpriest Milan Brkich, Archpriest Miodrag Mijatovich, Archpriest Miodrag Djurich, the chetnik vojvoda Momchilo Djujich, and a few other civilians, for a conference for further action and struggle. Meanwhile we learned that the two new administrators, Archimandrite Gregory Udicki, and the newly elected Bishop Archpriest Stevan Lastavica were already beginning to issue their orders and directions to the clergy, that my name no longer be mentioned in church at services, and that for all their needs they turn only to them, and not here to the Diocese at the St. Sava Monastery. By this they heap a tremendous damage to this Diocese and they do not recognize the decisions of our Diocesan Plenum!

It was likewise learned that upon orders from Archpriest Stevan Lastavica, as a future Bishop, Archpriest Dushan Klipa, the Episcopal Vicar-gen. for the East, summoned an assembly of clergy from his district, of the "Mideastern American-Canadian Diocese" in Clairton, Pa., for Tuesday, the 18th of this month, at which will preside the newly designated bishop Archpriest Lastavica. I have informed that I do not recognize this assembly.

At the same time I relieved from further duties both episcopal Vicar-generals: Archpriest Milan Brkich and Archpriest Dusan Klipa. They are no longer my Episcopal Vicar-generals, nor vicar-generals of our districts of this Diocese as they are determined, and should the new administrators give them any authority, I do not recognize it until the decision of our Church National Assembly as was decided by the Diocesan Plenum on the 6th of this month. The resignations as members of the Diocesan Council of Archpriest Miodrag Mijatovich and Archpriest Miodrag Djurich were accepted.

Since the Priests Association led the struggle against me personally, and worked and works for my removal, and bears a great part of the responsibility for all these disturbances among the people, I have withdrawn my recognition of the "Priests' Association," which I have given in

1960, and call upon all the patriotic clergy to resign from that Association which drew this Diocese into these tremors and pulled it into complete subordination to Belgrade, taking from it even this autonomy which it had until now. This Association does not defend the rights of its people but of Belgrade.

I call upon the entire Serbian clergy and all Church-school congregations to not obey the directives of these new administrators: Archimandrite Firmilian, Archimandrite Gregory Udicki, nor of Archpriest Stevan Lastavica, but rather for all their needs and questions turn to our Diocese, the Diocesan office and to Us, who together with the Diocesan Executive Board and the Church Court administer this diocese. It is the general feeling and decision of the overwhelming majority of our people that the Serbian Orthodox American-Canadian Diocese remain whole and undivided.

American and Canadian Serbdom, as also Serbdom of the entire Serbian Emigration and Diaspora, and you too, my dear Serbdom in communistically oppressed Yugoslavia, the time has come here for us to regroup, to firmly stand for the principles of freedom, for the principles of the glorious struggle of General Drazha, for the King, for the Constitution of America and Canada (sic), that we be more firmly tied and more unified than ever to continue our struggle against communism, against Tito and his dictatorial regime in Yugoslavia, all for the freedom of our dear Serbian people. I shall remain in the name of God on my heretofore line.

In the Monastery of St. Sava, Libertyville, Illinois
June 12, 1963.

(translator's certification omitted)

PLAINTIFF'S EXHIBIT 78

Translation

BISHOP DIONISIJE:

NEW DELEGATION FROM BELGRADE

-investigation commission-

The Holy Episcopal Synod by its act No. 1987, min. 267, of June 13, 1963, has informed us that by authorization of the Holy Episcopal Synod, His Holiness, the Patriarch German, will take over administration of the three newly created dioceses until the ordination for bishop of Very Rev. Stevan Lastavica, who will after ordination take over this administration.

From this act is evident that the Holy Episcopal Synod has changed its decision, and that administrators of these three newly created dioceses are not neither Archmandrite Firmilain, nor Archmandrite Udicki, nor Very Rev. Stevan Lastavica. It means that people should not turn to them for instructions and orders. It means that for everything should be turned to His Holiness the Patriarch in Belgrade.

Together with this, the Holy Episcopal Synod sent us act number 1986, min. 265, of June 13, 1963, by which informs us that will come to America Bishop Chrysostom, Bishop Visarion, with Very Rev. Mladenovich and protodeacon Tripkovich, for investigation of complaints against me, Bishop Dionisije, for hearing, fathering documents e t.c. Privately I am informed that this delegation arrives these days, if they are not here already, and that main purpose is to ordain Very Rev. Stvan Lastavica for Bishop. They have received passports, enough traveling expenses, beside tickets, from the state, in order to perform their job in accordance with instructions given by Religious Commission.

Informing of this all America and Canadian Serbs, that:

1. This delegation—Investigation Commission is not a guest of this Diocase. The Commission comes upon the

request of the Diocesan Plenum, but at the expense of plaintiffs. Because of this, Diocese, clergy and church congregations are not obliged to receive them. These Bishops have no right to go and visit within our Diocese for church services, collecting money and similar. Let our congregations and clergy act accordingly. This delegation will be guest neither in monastery of St. Sava in Libertyville, nor in Shadeland.

2. When this Investigating Commission calls on me for the purpose of conversations, hearings e t.c. I will use all legal rights as a Bishop and as a citizen of this country.

3. Since the Diocesan Plenum, in its session of June 6, of this year, did not accept division of the Diocese, but left it to the Church-People's Assembly, and since it has decided that surrender of duty to the administrator cannot be done nor to the new Bishop, I cannot surrender the duty until Church-People's Assembly takes place, and up to the judgment of this people, namely until this unjustified judgment on me is not discussed in legal and regular manner.

It is according all legal rules that I get all complaints for legal answer. Until all these are not given to me for reply, I cannot go to any hearings or conversation with this Commission. When I give all my responds in written form, I am going to use the right to take defending attorney. Until that, I will use my right to have a contact with this Commission through the correspondance.

In monastery of St. Sava,
On Vidovdan, 1963.

That this photocopy is exact with its original, which is deposited in the archive of the Holy Episcopal Synod,

Certified by,
May 28, 1969 Supreme Secretary of the
Belgrade Holy Episcopal Synod,
(Seal) Very Rev. Mladen Mladenovich.

PLAINTIFFS' EXHIBIT 79

BISHOP DIONISIJE:

AMERICAN CANADIAN SERBIAN CHURCH TRIUMVIRATE

After certain rebellions, conspiracies and murders in Rome, the power was taken over by three men, called triumvirate. When triune: Tito, Djujich and Ljotich's Zbor stroke together against me, it appeared decision of the Holy Bishops' Council, on order of Tito, Serbian Church Triumvirate: Firmilian, Udicki and Lastavica, to govern divided Diocese, to put through communist "Operation Dionisije" in America, and through them subjugate this free part of the Serbian Church to the communist regime in Yugoslavia.

Undermining the Constitution of this Diocese, not submitting to the decisions of Diocesan Plenum, this Triumvirate, after one conference where the main speaker was Djujich, they composed a special epistle to all clergy and people of this Diocese, calling all and everybody to submit themselves to the unlawful decisions of the Holy Bishops' Council, calling for help on St. Sava and all Serbian saints that they bless Serbs, but forgot to mention pledge entrusted for keeping to St. Sava, and ask him: what means his recommendation to fight for holy Orthodox Faith and freedom of its people. They forgot that St. Sava, in his protest, left his country when his brother First-Crowned King turned to Rome, and that he returned back only when the First-Crowned King has repented, for revolt was among the people. This triumvirate forgot that the Church did not always obey their Patriarchs, especially when they have fallen into heresy. Taking these duties, this triumvirate has opened the gates to the Tito's penetration into the Serbian Church in America. Look, Archimandrite

Firmilian already has in Pittsburgh a priest, who helps him and substitutes him, Fr. Velickovich, who publicly has talked in New York: that prota Smiljanich in Yugoslavia is the best Serbian priest. The Serbs in Pittsburgh should know this.

Triumvirate immediately has looked at Diocesan properties: Monastery of St. Sava, Shadeland and Jackson. At once they started with issuing orders, sending inspections to Shadeland, asking to be turned over to them etc. Together with some priests, this triumvirate brought decision in Clairton not to recognize decisions of our Diocesan Plenum made in session of June 6 of this year, nor decisions for calling the Church-People's Assembly, asking the people not to come to this Assembly, until new dioceses are formed, that all diocesan bodies are not acting and that they cannot bring legally any decisions. By this action, triumvirate, backed by a few priests, has released all diocesan bodies, and, according to them, no one governs the Diocese anymore. What insanity. No one so far did dare to attack the rights of this Diocese and Church, as did this triumvirate and Zbor-Djujich-Tito's team. And so they decided that Church-People's Assembly should not be held, for it is not convoked legally, but it was called in legally by the decision of Diocesan Plenum of February of this year, before all these Tito's intrigues, and at present only the date was changed from one to another, from October to August, in order to resolve the crises in our Church. It is evident, that these gentlemen are afraid of the Church-People's Assembly, and they try to avoid it. But, with God's help, this Church-People's Assembly will be held on fixed date.

Let's analyze this triumvirate's epistle. FIRST, triumvirate declared that all positive laws and Rules of the Serbian Orthodox Church and Constitution of this Diocese

remain untouched. But how the Constitution of this Diocese remain untouched when all present church bodies are inactive, that even Assembly is not called for, which practically means: all diocesan church bodies are abolished: Ecclesiastical Court, Diocesan Council, Diocesan Controlling Board, Educational Board etc. Who then governs in this Diocese, and who is its legal representative. According to Diocesan Constitution, it is Diocesan Council, but according to the decision of triumvirate, it is not, but they three, whom this people did not accept yet, nor anybody surrendered duty. Look, how much far this dictate has gone. It is better to call this triumvirate commissariat. Now, American and Canadian Serbs, do you want this commissariat or not, it is up to you!

SECOND, triumvirate calls for preservation of *unity* in our holy Church. How to preserve this unity when this triumvirate with certain number of the clergy is for obedience to Belgrade, Bishops' Assembly, Synod and Patriarch, but these have recognized the creation of MACEDONIAN CHURCH, which is the most dreadful schism and division in the Serbian Orthodox Church and Serbian people, which means in essence transforming the Serbs into Macedonians in the historical Serbian provinces of Emperor Dusan. Anybody who has done this is a traitor of Serbian people. For such a big question, it is not only necessary to go to jail, but to death. For Tito has accepted the Moscow plan of creation of Macedonia, which would, according to Vancha Mihailov, Moscow agent, comprise all territory from Vranje to Salonika. Through this Macedonia Moscow would come out to Aegean Sea, since it cannot do it through Dardanelle. For this reason it was necessary to create Macedonian nation, Macedonian church, Macedonian culture and a new step to the independent state of Macedonia, which means nothing for communists since

Macedonia is in the communist family of states and nations. But for the Serbs it means very much, and the Serbian people cannot ever accept it.

Acknowledging everything that is ordered from Belgrade, our triumvirate, acknowledges Macedonian church too. Now our triumvirate acknowledges the division of this Diocese and imposing of this to the free Serbian people of all orders and decisions from Tito's Yugoslavia, mixing of state and Church from Yugoslavia into the rights of this people, which is protected by free American and Canadian laws. Who is creating schism? Not us, but above mentioned team.

The concept CHURCH UNITY is wrongly explained. There is a spiritual and canonical unity, as it is among all Orthodox churches, unity in faith, keeping mutual holy canons of Ecumenical and provincial assemblies. A national church unity, as it was unity of Serbian Church among four independent metropolitanates; Belgrade, Karlovci, Sarajevo and Montenegro. All of them being Serbs had St. Sava and all Serbian saints as their spiritual leaders, all of them kept all Serbian traditions, history, culture, although they are administratively divided. That is real unity of the Serbian Church and Serbian people. Also exists administrative unity, when according holy canons, each Orthodox church within one nation and one state are tied in mutual administration: it has one chief—the Patriarch or Metropolitan and one internal legislature, the Constitution. This Diocese was not administratively subject of subordination in everything to our Patriarchate, but according its Constitution, has its own autonomy. Therefore there is no division here in our Church and separation in spiritual nor in canonical sense. That unity must be preserved. Here exists administrative division of one part of our people, who came and settled in other states, who live according to laws

of those states. No one has a right to ask this people to be subordinated to Belgrade, when we know that there is governed by Tito's communist laws, and Tito's regime presses our Mother Church, and in more important cases dictates.

Epistle of triumvirate mentions article seven of the Constitution of our Patriarchate, that the same remains untouched, and Constitution of this Diocese. But article seven enumerates on the basis of what laws Serbian church is governed, and on the end, under point D, says: "On the basis of regulations, rules and principal decisions of competent church authorities." Those are regulations, rules and decisions which last for some time, which, as Patriarch himself said before the Executive Board of Priests Association in Belgrade, when he received them in February of this year, that decisions and orders of the Holy Bishops' Assembly and Holy Synod, are not unchangeable dogmas, that the same could be wrong, and that the same can be changed. One of these decisions is the one relating to this Diocese and injustice done to me.

THIRD; epistle of the triumvirate says, that later after division of this Diocese, church life will be formed, according to the newly created situation, and then bring up a new Constitution for this part. This means that they want first after realizing division of this Diocese, to establish themselves—this triumvirate or new bishops, and then to call Church-People's Assembly, elect diocesan bodies, but only in complete subordination to Belgrade. It means that this freedom-loving people will not be asked of anything but to say "amen" to what is ordered. This stand of the triumvirate and group of priests are provoking this people who built their churches, founded their organizations and fought to preserve Serbianism, to resist and defend its rights and to reject this attack on their freedom.

FOURTH: Epistle of triumvirate calls on all congregations that they correspond with them in the future, to stop contact with Diocese, to send money and dues through administrator for "Midwest Diocese" which does not exist yet. They, by this action bring confusion in our congregations and among clergy, and start with the SCHISM in this Diocese. They also intimidate all the priests who do not submit to them, that they will be disordained. With this action this triumvirate creates terrible damage and they will be brought to civil courts, for they do not have a right to it. Because of this all church congregations are called to send their debts and obligations toward our Diocese, regularly, and sent it to the address: Monastery of St. Sava, Libertyville, Illinois.

FIFTH: American Serbian church triumvirate at the end of their epistle says: that they will fight against communist interference in the matters of this Diocese, that they are against communism etc. How laughing this sounds, for:

1. Communist plan is to interfere in the matters of this Diocese, and through these commissars—triumvirate, enter into the life of this Diocese. Beyond these new bishops are priests pro-Tito inclined, as is the one who is at present with Archimandrite Firmilian, who is his substitute in Pittsburgh. Beyond priests who would replace patriotic Serbian priests, come instructors from Yugoslavia, from Tito's consulates, trained in their schools. Recently Tito's consul in San Francisco has offered his help in conducting camp in Jackson, his books and leaflets.

2. Tito's Embassy in Washington said to one of our priests from Washington that all should be for these administrators, for Archimandrite Firmilian, who will be a bishop and probably even Metropolitan, and Dionisije must go and that must be done.

3. Tito's consul in Chicago has said to several men, that Rev. Petakovich should stay in Gary by all means.

4. Tito's consul in Toronto has given word that all priests, who are against division of the Diocese will be defrocked and replaced by others from Yugoslavia.

5. Tito's consul in Pittsburgh used all his might for Very Rev. Emilian Glocar to keep him in Akron, and return to his old parish there. He was meeting with prota Glocar many times and spoke through telephone a number of times.

6. Directive was given that King should not be received as it should. For this reason the priest of Chicago, Dusan Popovich, has resigned as president of the Committee for King's welcome, and said that he will receive the King, even in the church, if he comes in my company—with Bishop Dionisije. So said Executive Board in Milwaukee with proto Milan Brkich.

7. With this directive, yesterday the Chetnik's Voyvoda Djujich, renounced the King over the radio hour. The only thing remains for him to recognize Tito.

AT THE END OF THIS CIRCULAR I APPEAL TO ALL AMERICAN AND CANADIAN SERBS TO RISE AGAINST ALL THOSE PRIESTS WHO ARE NOT DEFENDING INTERESTS OF THEIR PEOPLE, AND WHO VOLUNTARILY IN THIS MANNER SUBMIT THEMSELVES, consciously or unconsciously, TO TITO'S COMMUNIST LINE OF DESTROYING EVEN THIS FREE SERBIAN ORTHODOX DIOCESE!

I CALL ALL THE SERBS IN THE WORLD, TO STAND WITH ME TOGETHER IN THIS HOLY AND ST. SAVA'S NATIONAL STRUGGLE.

I ACCEPT UNDER PROTECTION OF THIS DIOCESE ALL CHURCH CONGREGATIONS FROM THE WHOLE WORLD, WHO DO NOT WANT TO SUBMIT

TO BELGRADE, AND TO THE TITO'S DECISIONS THROUGH PATRIARCH GERMAN AND HIS UNLAWFUL DECISIONS OF THE HOLY BISHOPS' ASSEMBLY.

The blessed memory, Patriarch Gavrilo, gave to me all Serbian church diaspora (Serbs living outside Yugoslavia) in the whole world, to organize them, which I have done with the help of the Episcopal church. Governing in all churches and church centers in all world, was taken away by Patriarch Vikenty, under pressure of communist regime, and at present, Patriarch German, under order of regime is destroying even this American-Canadian Diocese.

Our slogan is: FOR THE FREE ST. SAVA'S ORTHODOX CHURCH, FOR KING, AND FOR IDEALS OF GLORIOUS STRUGGLE OF GENERAL DRAZHA MIHAILOVICH.

At Serbian Orthodox Monastery of St. Sava,
Libertyville, Illinois,
On VIDOVDAN, 1963.

That this is exact copy (photo copy) of the document which it refers to, and which is in safe-keeping in the archives of the Holy Episcopal Synod,

CONFIRMED BY,
Supreme Secretary of the
Holy Episcopal Synod,
Very Rev. Mladen Mladenovich
(signed)

May 28, 1969 (Seal)
Belgrade

PLAINTIFF'S EXHIBIT 80

Phone EMpire 2-9826

SERBIAN EASTERN ORTHODOX DIOCESE
FOR THE UNITED STATES OF AMERICA
AND CANADA
Serbian St. Sava Monastery
Libertyville, Ill.
U.S.A.

June 7, 1963

Very Reverend Archimandrite
Dr. Firmilian Ocokoljich, pastor
Pittsburgh, Pa.

Very Reverend Father Archimandrite,

Yesterday with great sorrow we have realized, that you took the stand of the movement of those elements: Djujich, Zbor and a group of clergymen, who are the subordination at any price of this Diocese and this free Serbians to His Holiness the Patriarch and the Holy Assembly of Bisops in Yugoslavia, even when they brake the Constitution of the Serbian Orthodox Church as well as our Diocesan Constitution, which in another words means to the communist regime in Yugoslavia, since without their participation and dictate no major decicionour Church in Yugoslavia can make, what you yourself know.

Furthermore, yesterday you publicly before the whole Plenum stated: that you are no longer recognise me as your bishop, since I was not able to surrender to you the administration of the Diocese until our Diocesan church-people assembly. Prior to that, you did not want to come to the meeting, because I have opened the same and began to preside which later was given to vice presidents of the Diocesan Council, as it was provided by the Constitution of the Serbian Orthodox Church.

In connection with this, since I yet perform the duty of the Diocesan Bishop and together with Diocesan bodies I govern the American Canadian Diocese, we said to you, and with this we confirm: that you are no longer our Episcopal Deputy (and which we confirm) and we releive you from that duty according to & 13 13 of the Constitution of our Diocese. By this you are automatically releived from the membership in the Ecclesiastical Court and Diocesan Council of this Diocese, about which we inform you for your knowledge.

With blessings
Serbian Orthodox
American Canadian Bishop
+ Dionisije

That this photocopy is faithful to its original which represents and which is kept in the archives of the Holy Synod of Bishops is

Certified by
Supreme Secretary
of the Holy Synod of Bishops
Mladen Mladenovic
Archpriest

May 28. 1969
Beograd SEAL

PLAINTIFFS' EXHIBIT 81

Phone EMpire 2-9826
SERBIAN EASTERN ORTHODOX DIOCESE
FOR THE
UNITED STATES OF AMERICA AND CANADA
SERBIAN ST. SAVA MONASTERY
LIBERTYVILLE, ILL.
U.S.A.

Very Reverend
Miodrag Mijatovich and
Miodrag Djurich, members of the Diocesan Council

June 7, 1963

Very Reverend Fathers protopresbyters,

At yesterday's meeting of the Diocesan Plenum, not agreeing with the decisions of the majority of the Plenum, and especially with the fact, that we were not in position to surrender the duties of administration of the Diocese, since you agreed with stand of Very Reverend Archimandrite Firmilian, you resigned on the membership in the Diocesan Council. Your resignation is accepted, and this was entered into the minutes of the Plenum, and consequently you are no longer members of this Diocesan body, about which you are informed.

With blessings
Serbian Orthodox
American Canadian Bishop
+Dionisije

That this photocopy is faithful to its original which it represents and which is kept in the archives of the Holy Synod of Bishops is

Certified by
Supreme Secretary
of the Holy Synod of Bishops
Mladen Mladenovich
Archpriest

May 28, 1969
Belgrade SEAL

PLAINTIFF'S EXHIBIT 82

Minutes taken on the basis of decision of the Holy Synod of Bishops No.1986/min.265 of June 13 of this year in some inn near Libertyville July 5, 1963.

His Grace Bishop Dionisije was requested to undertake the fulfillment of the above decision and to reply to the posed questions. His Grace answered that he will not reply to any oral question, but desires that all questions be submitted in writing that he might reply to them in writing. At the same time His Grace stated that he does not accept the decision concerning the division of the Diocese into three parts and that he does not consider himself as bishop of the MidWest American Diocese and that he stands by all of his circulars and statements which he made before and after receiving of Assembly's and Synod's decisions.

With this the meeting ended.

His Grace Bishop Dionisije stated, even though he participated in composing this minutes, that he will not sign the minutes.

July 5, 1963

Bishop
Bishop of Branicevo
HRIZOSTOM
Bishop of Banat
+ VISARION

That this transcription is faithful to its original which it represents and which is kept in the archives of the Holy Synod of Bishops is

Certified by
Supreme Secretary
of the Holy Synod of Bishops
Mladen Mladenovich
Archpriest

PLAINTIFFS' EXHIBIT 84

PATRIARCH GERMAN'S
VIOLATIONS
of the
Holy Canons, Rules and Regulations
of the
Serbian Orthodox Church in Tito's Yugoslavia
PREPARED
by the Rt. Rev. Bishop Dionisije
Published by
The Serbian Orthodox Diocese in the U. S. A. and
Canada (Free Serbian Orthodox Church in Free World)
LIBERTYVILLE
1965

* * *

RESOLUTION
of the Sixth Diocesan Church National
Assembly Held in 1948

Delegates of the Sixth Church National Assembly, clergy and laymen, assembled in their Serbian Monastery of Saint Sava in Libertyville, Illinois, having great love for their Church and the Serbian people, unanimously brought the following resolution:

(1) Considering that the compactness and unity of the Serbian Orthodox Church are essential for the future of the Serbian people, the Sixth Church National Assembly appeals to all Serbian Bishops, Priests and all the leaders of the Serbian people to contribute as much as possible to preserve this unity, and particularly appeals to all Serbian brothers and sisters in America to contribute to this great goal, either personally or through their National Serbian Organizations.

(2) Finding that the co-operation of the three big Serbian organizations, that is: the Serbian Orthodox Diocese, the Serbian National Federation and the Serbian National Defense, has without doubt brought, and today brings prosperous results, the Sixth Church National Assembly appeals to all Orthodox Serbs in the United States and Canada to become members of these organizations, and by this way to show their religious and national feeling and also readiness to defend their own interests and those of the Serbian people in general.

(3) Aware of the historic role of the American Serbs in the present action for full aid to the Serbian people, the Sixth National Assembly recommends to all clergy, members of the Church-School congregations and all the faithful of our Holy St. Sava Church in the United States, to help the Serbian National Defense in her present fight, conducted by all conscious Serbs, towards the freedom and unity of the Serbian people.

In connection with this goal, the Sixth Church National Assembly advises all members of St. Sava's Church in America, and abroad, to help the work of the Serbian Central National Committee in America, the aim of which is to unify all positive powers in the struggle for the defense of the interests and freedom of the Serbian people.

(4) As it is now possible for a large number of Serbian emigrants to enter the United States, people to whom we should offer our hospitality as to our brothers, and to help them find all facilities, to begin a new life in our community, the Sixth Church National Assembly appeals to all our Serbian organizations and institutions in America to secure for them lodgings and employments, and then immediately inform the committee for the maintenance and welfare of Refugees, in which there are representatives of our three organizations, and our main office, situated in our Diocese in Libertyville, Illinois.

(5) As communism with its atheistic doctrine endangers not only Christ's teaching, but ethic and moral also, endangering the life of a family and mankind in general, disregarding personal and national freedom and justice, and as such is a permanent danger to all deeds done for mankind by Christian civilization and because of which the Serbian people feel and suffer the worst deprivations, the Sixth Church National Assembly calls all faithful, armed with belief in Christ and love for Serbdom and Serbian traditions, to fight with all their sources against this greatest of misfortunes which has occurred in the world.

(6) In accordance with the report of delegates from Canada, regarding the church and national needs of our people there, this Assembly finds necessary for appointment of a Deputy Bishop for Canada. The Deputy will carry out the work following instructions from the Bishop and the Diocesan Council of the Diocese of America and Canada.

(7) The Sixth Church National Assembly authorizes His Grace Bishop that his co-ordinance with this Diocesan Council he may bring the necessary decisions:

(a) Regarding parish schools, necessary manuals, etc.
(b) The organizing of youth within the Church,
(c) Improvements to the Monastery,
(d) Development of the summer children's camps,
(e) The publishing of a newspaper of Diocesan monthly bulletin,
(f) A home for aged priests and charity home for disabled Serbs,
(g) A theological seminary, courses for Church singers, parish School teachers etc., and
(h) Sources for maintaining of the Diocese.

RESOLUTION
of the Seventh Church National Assembly of October 1952

The delegates of the Seventh Church National Assembly have decided unanimously:

(1) The Serbian Orthodox Diocese of America and Canada will offer in the future, as it has to date, loyal co-operation with the United States of America and Canada in view of their democratic Constitutions, wishing to preserve the freedom granted by these Constitutions, the prosperity of both countries and the rights of Christian democracies existing there.

(2) The Serbian Orthodox Diocese of America and Canada will in future, as it has to the present, remain canonically affiliated with its Serbian Orthodox Patriarchate and Church, preserving the unity and spiritual closeness of the Serbian people. The Diocese alertly follows events in the Old Country and the relationship between the present state regime and the Church. *The Church National Assembly unanimously condemns the suppression of religious education and the attacks on the Serbian Bishops and Priests, and declares: that the Diocese will refuse any unauthorized and uncanonic attempt to interfere into the autonomous life of this Diocese, particularly if such an attempt would come as a result of pressure by the present communist regime in Yugoslavia.* The Church National Assembly also declares that in the event of canonic vacancy of the present Diocesan throne, paragraph 13 of the Diocesan Constitution be brought into effect, under the condition: *that the Assembly retains its right in such circumstances and newly created situations, bringing decisions in ordinance with the canonic regulation, coming in contact with the Holy Bishops' Synod and His Holiness the Serbian Patriarch, on the basis of American Constitution.*

(3) The Serbian Orthodox Diocese of America and Canada will in the future sincerely co-operate with the Serbian National Federation, Serbian National Defense, the Federation of Unity, Serbian Singing Federation, Federation of Serbian Sisters of the Serbian Monastery of St. Sava, the Serbian Brothers Help, all other National American-Canadian organizations, and all other Serbian organizations in the world which have the same aim and program: the well-being of the Serbian people, protection of their interests, its unity and unity of the Serbian Orthodox Church as well as autonomy of this Diocese.

(4) Most important for the Serbian Orthodox people is their unity, which is entrusted to the Holy Church. Therefore this Assembly appeals to all Serbian Orthodox people in emigration—closing their rows and unify, and for all the leaders to cooperate with one another because discord helps only the enemies of the Serbs. In the meantime *this Assembly warns all Serbs to avoid all communistic and atheistic ideology and propaganda.*

(5) The Assembly recommends that particular attention be given to Serbian youth, recommending that all Church-School congregations where no Church School exists, found them, also, along side of the parish schools; that for both of these there be printed special manuals and lectures, and this should be put in the charge of the Diocesan Council and Education department; that apart of religion the Serbian language be taught in the parish schools; that there be printed for the faithful liturgical prayer-books along with other spiritual and educational books, thus to enable them to follow the Holy Liturgy, and to enable the priests to bring more youth into the Church.

(6) That special consideration be made for the maintenance of old and disabled Serbs and invalids, and for

this aim to be opened *a St. Sava Charity Home in Pennsylvania*, which will accept the old settlers along with newly arrived brothers. The Diocesan Council is authorized to make special regulations for the maintenance of this institution.

(7) The Diocesan Church National Assembly appeals to all American-Canadian Serbs, all Serbs in the Free World, and all our National organizations to offer all moral and material aid to better the life of our old and disabled Serbs and invalids who are still in various European camps, hospitals and institutions.

(8) The Diocesan Church National Assembly condemns the action and behavior shown towards the Episcopate by a portion of the Serbian priests and clergy, organized in a new clerical association as this Assembly believes, that they are fulfilling the desire of the communist regime in Yugoslavia.

(9) Condemns the action "Macedonian Church Initiative Committee" as an uncanonical and illegal association, and particularly the tendency of this committee to create some independent Macedonian Orthodox Church outside the Serbian Patriarchate, to whom all dioceses and all Serbian Orthodox people in Yugoslavia canonically belong.

(10) The Seventh Diocesan Church National Assembly has decided that the Serbian Orthodox Diocese of America and Canada will, in the future, offer all moral and financial help to all Serbian emigration outside America and Canada who are under the jurisdiction of the Serbian Patriarchate and our spiritual care.

(11) The Seventh Diocesan Church National Assembly urgently and staunchly demands of the American Government and court that Andrija Artukovich, former minister for interior affairs in the so-called 'independent State of Croatia' be deported and delivered to the authorities con-

cerned for crimes which he executed to imprison and to kill: the Metropolitan of Sarajevo, Petar, Bishop of Karlovatz, Sava, the Bishop of Banja Luka, Platon, as well as several hundred Serbian priests and hundreds of thousands of Orthodox Serbs.

(12) The Diocesan Seventh Church National Assembly thanks our ever-loving God for all the good deeds granted our Diocese and her faithful, and prays to the Lord for the salvation of His martyred people and His long-suffering Serbian Orthodox Church.

AMEN.

The Holy Bishops' Synod of the Serbian Orthodox Church, under its number of 1532/Min 483 of June 16th, 1953, write to us:

"Your Grace,

The Holy Bishops' Assembly of the Serbian Orthodox Church at its session of May 29th, 1953, under ASNo-24/Min. 46 issued this decision:

To accept to the knowledge report of His Grace Bishop Dionisije regarding work of Church-National Assembly of the American and Canadian Diocese."

We have the honor to notify Your Grace about this decision of The Holy Bishops' Assembly (Council).

Your Brother in Christ
For the president of The Holy Bishops'
Synod, Metropolitan of Montenegro
and See Shores
ARSENIJE, S.R.
TO HIS GRACE AMERICAN AND CANADIAN
BISHOP DIONISIJE.

According that document the Holy Bishops' Assembly accepted my report about the work and Resolution of the diocesan Church-National Assembly held in October 1952.

RESOLUTION
of the Eighth Diocesan Church National Assembly
Held on September 18, 19, and 20th, 1956

Inspired by the ideal of Saint Sava of preservation of Orthodox belief and all that which the Serbian people hold as most dear and holy, the Eighth Diocesan Church National Assembly holds firmly to the stand of preserving the unity and entirety of the Serbian Orthodox Church and its people. Therefore, in accordance with the Constitutions of the Serbian Patriarchate and of the Diocese of America and Canada, this Diocese stands in Canonic and Spiritual unity with the Serbian Patriarchate in Yugoslavia, as does our Bishop with His Holiness the Serbian Patriarchate in Belgrade.

In accordance with suggestions and proposals given by His Grace, the Diocesan Bishop, Rt. Rev. Bishop Dionisije, and taking into consideration existing needs and those which may arise in the near or distant future, and after hearing the report of the Executive Board—which is in accordance with the Diocesan Constitution—the Assembly has decided:

(1) *That in regard to the position, wishes and requests of our brother Serbs who live in regions of Middle and South America, His Holiness Patriarch Vikentije should temporarily transfer administration of these territories to His Grace the American Canadian Bishop Dionisije, in regard to the Serbian Orthodox faithful and Church-School communities, until such time the Holy Bishops' Assembly decides to affiliate these lands to this Diocese.*

(2) *This Assembly warmly recommends and asks His Grace the Diocesan Bishop to transmit the following to His Holiness the Patriarch and the Holy Bishops' Assembly:*

That the entire flock and clergy of this Diocese is of firm standing: that in case of vacancy of the Diocesan Throne, they have the exclusive right to call a special meeting of the Church National Assembly, on which they will recommend three candidates, from which the Holy Bishops' Assembly may elect one as new Bishop of this Diocese. At the same time the Assembly announces that any disrespecting or neglection of this demand, which is the right of the people of this Diocese, by the Holy Bishops' Assembly, could raise the question of the unity of this Diocese with the mother church in the Homeland.

That the unity and harmony of Serbian emigration in the world, and its prosperity in spiritual, church and nationalistic outlook are the axiom of the activity of the American-Canadian Diocese. Therefore the Serbian Orthodox American-Canadian Diocese cooperates and shall cooperate with the Serbian National Federation, the Serbian National Defense and all other sincere national Serbian organizations in America and Canada and in all other countries where Serbs there are; helps and will help all Serbian emigrants in the world religiously, spiritually and nationally, so that they may become better stabilized and strengthened in order to preserve their St. Sava Orthodox faith. *The Eighth Diocesan Church National Assembly gives full support to His Grace Bishop Dionisije in the matter of establishing and extending in Serbian emigration a solid Serbian representation for better and stronger defense of the interests of the Serbian Orthodox Church and the Serbian people in the freedom fight which is led by our new homeland, unconquered America.*

The Eighth Diocesan Church National Assembly protests against the pressures which the godless communistic regime exercises over the Serbian Orthodox Church in Yugoslavia

and requests: that South Serbia should be permitted free and undisturbed election of Orthodox Bishops for the Dioceses of Skoplje, Orchrid-Bitola and Zletovo-Strumitza; that the Montenegro Metropolitan Arsenije should be freed as well as all Serbian priests and monks, who are imprisoned and sentenced only because they—here and there—spoke somewhat freely about communistic dictatorship; that all confiscated church buildings, patriarchates, dioceses, monasteries and churches be returned to the Serbian Orthodox Church in good order; that in Sremski Karlovtzi the theological seminary be re-opened and that all liberties and rights which were forcibly and unjustly taken by Tito's communist regime be returned to the Serbian Orthodox Church.

The Eighth Church National Assembly has decided that from the Holy Bishops' Assembly there be requested two vicar-Bishops to the Diocesan Bishop for this Diocese, since it is impossible for him to carry out all Bishop's affairs on the enormous territory of this continent. Therefore the Eighth Diocesan Church National Assembly supports the candidacy and proposal from His Grace Bishop Dionisije for Doctor Archimandrite Firmilian Ocokoljich, now secretary to the Bishop and the Diocese, as Bishop's vicar. At the same time the Eighth Diocesan Church National Assembly has decided to take steps in regard to bring Bishop Varnava Nastich to America, either as a guest or for his convalescence, but nevertheless for permanent residence.

The Eighth Diocesan Church National Assembly decided that in the future, more priests for this diocese be selected from youth born here, and also that following completion of university, the youth be schooled or educated in their own seminary; but that, until this seminary is opened, all our future priest-candidates be educated at St. Vladimir's Academy in New York, where there is one of our professors,

who, in addition to the regular subjects, will teach them history of the Serbian Orthodox Church, the Serbian language, history of the Serbian people, church chanting as well as other subjects needed for parish service.

The Eighth Diocesan Church National Assembly decides to establish a Monastery in Canada as a separate Serbian spiritual centre; that a church be erected on the Diocesan property at Shadeland, Pennsylvania, for the St. Sava Charity Home and that a Serbian Women's Monastery be established at Shadeland. The Diocese shall extend full cooperation in the future, as it has to the present, with the Federation of Serbian Sisters of St. Sava Monastery and especially hopes that a Serbian Orphanage be established near them, since need for this is felt.

The Eighth Diocesan Church National Assembly acknowledges fully and thanks the Serbian National Federation for the help it has shown and is showing to its Holy Orthodox Church in every regard, and especially for the fact that the Serbian National Federation takes responsibility for payment of Diocesan mortgages in amount of 32,500 dollars for the property of Shadeland, and of which amount they have already paid 25,000 dollars. The Assembly appeals to all clergy and Church-School Congregations to cooperate very closely with the Serbian National Federation and to support all of its cultural and benevolent undertakings.

MINUTES

of the 9th Church-Peoples Assembly of the American-Canadian Diocese held September 13, 14, 15, 1960

Work of the 9th Church-Peoples Assembly of the American-Canadian Diocese began September 13, at 10:00 A.M., with prayers and a special service in the St. Sava Monastery Church in Libertyville, Illinois. At 10:30 A.M., the

clergy, led by His Grace Bishop Dionisije, and accompanied by those delegates present, left the church and in prayerful recollections approached the grave of the blessed-in-repose Bishop Nikolai, held a memorial service for him as well as for the departed Brothers-in-Christ: His Grace Bishops Mardarije and Irinej. At 11:00 A.M., in the hall of the Children's Camp Building, His Grace Bishop Dionisije opened the first meeting of the Church-People's Assembly with a prayer and blessing. His Grace, with friendly and chosen words, greeted all present delegates and expressed the hope that their work at the Assembly be inspired with the ideals of orthodoxy and Serbian interests.

. . . (p. 4) . . . His Grace Bishop Dionisije spoke of the relationship of the American-Canadian Diocese with the Serbian Orthodox Church in the Old Country. Life in the American Canadian Diocese demands certain reforms and new measures. New reforms and new decisions pertaining to our internal church life must be sent, in accordance with our Constitution, for approval to the Holy Bishops' Council in Belgrade. But we have had instances that the Holy Bishops' Council did not sanction our new decisions, sent regarding amendments and additions to our Constitution. Bishop Dionisije proposed that this Church-People's Assembly should decide that all new amendments and additions of our Constitution which pertain to the internal life of this Diocese (Questions of administration) additions *which do not enter into questions of our canons and our orthodox Dogma, that such additions and amendments be carried out in the life of the Diocese and that they not be sent for approval of the Holy Bishops' Council in Belgrade. Very Rev. Dusan Shoukletovich seconded Bishop Dionisije's proposal.* Tika Topalovich asks the Assembly to decide today that the Church-People's Assembly of the American-Canadian Diocese assumes the right to select its own new

bishops because here are found nationalistic interests. His Grace replies to Tika Topalovich and says that would mean breaking spiritual ties with the Serbian Orthodox Church and that we should never do, nor would we under any circumstances wish to do so. *Spiritual ties with our Church in our Homeland must be preserved.* Vojvoda Momchilo Djujich agrees with Bishop Dionisije and says that we must preserve spiritual unity and must not throw stones at our Mother Church because she did not cast us off nor sin against us. He pleads with all brother delegates to contain themselves against attacks against our Mother Church in our enslaved homeland. Especially is it necessary to repel lies against the Patriarch, the episcopate and the honorable Serbian clergy. They are martyrs and they should be helped and not hindered. Vojvoda entertains a protest against all our politicians and emigrant publications writing against our Patriarch, our bishops and clergy in the Homeland. All who write against our church and its leaders are misinformed and ill-willed. . . . Very Rev. Milorod Dobrota and Milos Bajesbich spoke on the same subject.

Very Rev. Miodrag Djurich asks how to protect properties of the American-Canadian Diocese from the communists, because we are a component part of the Serbian Orthodox Church and as such, property the same. Communists would not find it difficult to force our church in our Homeland to allow them to come in control of our properties. The bishop replies that there are laws regarding this and that no one can ever take our property from us.

Resolution of 9th Church National Assembly held in 1960.

. . . (p. 9) . . . After listening, suggestions and explanations of the Diocesan Bishop, His Grace, Dionisije, taking into consideration existing needs as well as those likely to arise in the immediate as well as in the distant future, and

after hearing the report of the Assembly's committee for changes of rules and regulations pertaining to the Diocesan constitution the Assembly decided:

That the unity and harmony of Serbian emigration in the world and its prosperity in spiritual, Church and nationalistic outlook are the axiom of the activity of the American-Canadian Diocese. Because of that the Serbian Orthodox American-Canadian Diocese cooperates and shall cooperate with the Serbian National Federation, the Serbian National Defense and all other sincere national Serbian organizations in America and Canada and in all other countries where Serbs are there; helps and will help all Serbian emigrants in the world religiously, spiritually and nationalistically to become better stabilized and strengthened so that they may preserve their St. Sava orthodox faith.

Aware of the people's historical struggles, which were led by the Serbian Orthodox Church through the centuries for freedom of the Serbian people, and imbued with the sincere desire for Serbian harmony in a free world, the 9th Diocesan Church-People's Assembly, composed of legitimate representatives of *Serbian Orthodox Churches in America and Canada, priests and laymen, graciously thanked His Grace Bishop Dionisije on his positive, preserving and successful work in unifying conflicting forces in Serbian emigration.* The Assembly saluted and successfully completed work of the All-Serbian Congress which elected Serbian national representation as a permanent and supreme political body of nationalistic Serbs in the free world whose duty it is to unify all conflicting, nationalistic and democratic Serbian forces in the struggle against godless communism, for early freedom and unity of all Serbs and Serbian lands. *The 9th Diocesan Church-People's Assembly protests against the pressures which the godless communis-*

tic regime exercises over the Serbian Orthodox Church in Yugoslavia and requests that all Serbian priests and monks, who are imprisoned and sentenced only because they—here and there—spoke somewhat freely about communistic dictatorship; that all confiscated church buildings: patriarchates, dioceses, monasteries and churches be returned to the Serbian Orthodox Church in good order.

The 9th Diocesan Church-People's Assembly decided, that for the future, more priests for this Diocese be selected from youth born here, also that following completion of the university, the youth be schooled in their own seminary. But that until the seminary is opened, that our future priest-candidates be educated at St. Vladimir's Academy in New York, where there are two of our professors, who, in addition to their regular subjects, will teach them history of the Serbian Orthodox Church, the Serbian language, history of the Serbian people, church chanting as well as other subjects needed for parish service.

The 9th Diocesan Church-People's Assembly decided that a church be erected on the Diocesan property at Shadeland, Pennsylvania, for the St. Sava Charity Home and that a Serbian Women's Monastery be established at Shadeland. The Diocese shall extend full cooperation in the future, as it has to the present, to the Federation of Circles of Serbian Sisters of St. Sava Monastery and especially [hopes] that a Serbian Orphanage be established near them, for which the need is felt.

The 9th Diocesan Church-People's Assembly acknowledges fully and thanks the Serb National Federation for help it has shown, and is showing, to its holy orthodox church in every regard. The Assembly appeals to all the clergy and all church-school congregations to cooperate very closely with the Serb National Federation and to support all its cultural and benevolent undertakings.

President, 9th Diocesan Church-People's Assembly
Bishop Dionisije

The resolution was unanimously adopted.

Amendments adopted

. . . (p. 10) . . . Very Reverend Milan Brkich presented report of the Committee for Revisions and Amendments of the Diocesan Constitution stating: that the Committee believes a general revision of the Constitution is necessary as soon as possible and that that work should be entrusted to a special commission of professional theologians and lawyers. The Committee is of the opinion that at this Church-People's Assembly the following paragraphs must be revised and amended because they are of an urgent nature:

Regarding Diocesan Bishop

Art. 9 of the Diocesan Constitution should read:

The Bishop of the Serbian Orthodox Diocese for the United States of America and Canada is chosen by the Holy Bishops' Council of the Serbian Orthodox Church after consideration of the thinking and proposals of the Church-People's Assembly of this Diocese.

Art. 13 . . . to read:

The Diocesan Bishop of this Diocese has his own Diocesan representative, whom he himself chooses and also prescribes his sphere of duties. When the Diocesan throne is vacated, temporary administration of the Diocese in all spiritual and administrative duties are assumed by the Diocesan Church Court with the Diocesan Plenum, that is, the Diocesan Executive Board, about what informs His Holiness the Serbian Patriarch. Until the election of a new bishop the Bishop's administration of this Diocese is performed by the Serbian Patriarch together with the Holy Bishops' Council through the Diocesan Church Court and the Diocesan Council.

Upon vacancy of Diocesan throne, the Diocesan Plenum is obligated to call an extraordinary session of the Diocesan Church-People's Assembly, which, in the spirit of paragraph 9, presents its decisions and proposals to the Holy Bishops' Council pertaining to the selection of a new bishop for this Diocese.

Regarding Diocesan Church-People's Assembly

Art. 16 . . . to read:

The Diocesan Church-People's Assembly is composed of:

1. Diocesan Bishop,
2. All members of the Diocesan Plenum (all Council Boards, Monastery Boards, Church Court, Auditing Board, Educational Board, the Federation of Circle of Serbian Sisters and Sotaja);
3. All Serbian orthodox priests, clergymen of this Diocese;
4. Two lay delegates representing each Church-school congregation of this Diocese, except president who, by virtue of his position as president of his church-school congregation, is a member of the Assembly. These two lay-delegates are chosen from the ranks of the church-school congregation and two alternates in the event either of the two duly elected are for some reason unable to attend the Church-People's Assembly. Church-School Congregations not fulfilling their obligations toward the Diocese do not have the right to participate in the Church-People's Assembly;
5. All Church-School Congregations, which as yet do not have a priest and a church but do have a school operated under Diocesan control, have the right to send two delegates, one of which should be an authorized teacher of the school;
6. Of the Serbian nationalistic and benevolent organizations the following have a right to participate in the

Church-People's Assembly with the right to vote: Serb National Federation with 5 delegates; Serbian National Defense Council of America with 5 delegates; Serbian Benevolent Federation "Jedinstvo" with 3 delegates; Federation of Circles of Serbian Sisters with 5 delegates; Serbian Singing Federation 5 delegates; both Serbian National Defense Councils of Canada with 2 delegates each; and Serbian Brothers Help with two delegates.

Art. 20 . . . should read:

The Diocesan Church-People's Assembly will convene every other year in regular session in the month of September on days and in place agreed upon by the Bishop and the Diocesan Council.

When exceptional needs make it necessary an extraordinary session of the Diocesan Church-People's Assembly may be called; same to be called by the Diocesan Bishop that is by the Diocesan Plenum.

Art. 23 . . . should read:

The Diocesan Church-People's Assembly, following report of its Verifications and Credentials Board, and establishment of its constitutionality, performs the following business:

1. Approves, revises or amends agenda by Diocesan Council;
2. Accepts reports of Diocesan Plenum, excepting Church Court, on work of the Diocese for the past two years;
3. Makes decisions on material means for maintaining the Diocese;
4. Elects Diocesan Plenum except Church Court, for oncoming two years and formulates working program for Diocesan Plenum.
5. Elects Diocesan Auditing (Control) Board, which, as such, participated in the work of the Diocesan Plenum.

Through the Diocesan Auditing Board (are controlled in the management of all Diocesan property, budgets of the Diocesan Plenum—Executive, Educational and other Boards as well as all the funds of the Diocese).

6. Makes decisions on all questions, grievances and requests which arise for decision;
7. Makes decisions pertaining to revision and amendment of Diocesan Constitution, which are to be submitted for approval to the Holy Bishops' Council of the Serbian Patriarchate.

Art. 24 . . . should read:

The Diocesan Plenum is the main executive and administrative organ of the Diocese with its diocesan Bishop as president for all duties entrusted to him by the Diocesan Church-People's Assembly.

The Diocesan Plenum consists of:

1. Diocesan Executive Board
2. Diocesan Church Court
3. Diocesan Educational Board
4. Diocesan Auditing Board
5. Diocesan Boards for St. Sava Monastery (Libertyville, Illinois), Monastery of the Most Holy Mother of God (Shadeland, Pennsylvania), for the West and for Canada, and others when established.

By virtue of their positions the following are members of the Diocesan Plenum: Bishop's Administrator, Bishop's Representatives, Advisor of the Federation of Circles of Serbian Sisters, and directors of St. Sava Monastery and Monastery of the Most Holy Mother of God, and, when established, Diocesan centers from the West and Canada, then also their director (to which is also added the Monastery of Holy Protection at Buena, New Jersey).

Art. 25 . . . should read:

Diocesan Executive Board

The Diocesan Executive Board consists of 21 members, 10 priests and 10 civilians with the Diocesan Bishop at the head as President. In the Diocesan Executive Board there may be one or more Vice Presidents; chief Diocesan Treasurer; Chief Diocesan Financial Secretary (Accountant); Secretary of the Diocese; who is obligatory a priest chosen and appointed by Diocesan Bishops.

In addition to the regular members alternates are chosen: two priests and three laymen.

Art. 26 . . . should read:

Diocesan Auditing Board

The Diocesan Auditing Board consists of 9 persons, with a president as head, three members from the midwest vicariate; 2 from the Western vicariate; 2 from the Eastern vicariate; and two from Canada in order to make it easier to examine the books of the Diocesan Board. The Auditing Board examines all financial books and all business accounts of the Diocese, the Executive and all other Boards, Federation of Circles of Serbian Sisters and all funds of the Diocese, two times and at least one time annually. It gives a report of its work to the Diocesan Church-People's Assembly as well as to the Diocesan Plenum, with its recommendations.

Art. 27 . . . should read:

Diocesan Boards for St. Sava Monastery, Monastery of the Most Holy Mother of God, for N.J. and for Canada, each one are composed of 5 members of which one or two are Vice Presidents, one Treasurer, and a Secretary. President of each of these Boards is the Diocesan Bishop for whom the Vicar of the respective Vicariate may act as a substitute. The Bishop's representative (vicar) of the represented vicariate is obligated to be a member of the respective board as the Bishop's representative. Members of these Boards may also have their alternates, who are chosen by the advisory boards for the respective Vicariate.

In each Diocesan Vicariate, from representatives of all Church-School Congregations and priests, is formed, at a special assembly of the Vicariate, an Advisory Board with which the aforementioned Boards for the monasteries, for the West and for Canada, cooperate. These Boards meet once annually in the town or place which is headquarters for the Monasteries, for the West, and for Canada. It is a duty of these Advisory Boards to assist in the work and development of the Diocesan Centers.

Art. 37 . . .

Diocesan Education Board

The Diocesan Educational Board consists of 10 members, as follows: 5 priests and 5 civilians, with the Bishop as head. Vice President of the Diocesan Educational Board is the Diocesan educational referrant (advisor). The Diocesan Educational Board, in order to perform more successfully its work among the Serbian youth of America and Canada, may call on specially trained educators and from them formulate its own advisory committee.

The regular duties of the Education Board are: preparing teaching aids for parish Sunday Schools, preparing courses for children's summer camps, for camps for older children, for Youth Clubs and all pertaining to education and religious-moral matters in the Diocese. One member of the Diocesan Education Board is also a religious-education inspector (supervisor). This duty may be performed also by the Diocesan Vicars who also will cooperate in these matters with the Educational Board.

In cooperation with the Executive Board, the Diocesan Education Board is concerned with the publication of the Diocesan-Clergymen's journal 'Orthodoxy.'

Art. 36 of the Diocesan Constitution remains the same with the addition to that paragraph of Point 12, which reads:

Plenum of the Diocesan Council has the authority to propose budgets for main treasury, for the Educational Board as well as for the Monastery Board, Western, Canadian and Buena, New Jersey, and other Diocesan centers and missions which exist or which may be established.

The delegates of the Church National Assembly, after constructive discussion, approved these revisions and amendments of the Diocesan Constitution.

* * *

PLAINTIFFS' EXHIBIT 84B

TO: THE HOLY BISHOP'S SYNOD
OF THE SERBIAN ORTHODOX CHURCH
BELGRADE, YUGOSLAVIA

D. Protocol no. 194
June 3, 1963

YOUR HOLINESS,
BROTHERS, BISHOPS, MEMBERS OF THE
HOLY BISHOP'S SYNOD AND ASSEMBLY
ASKING BLESSING:

Acknowledging the receipt of the official document no. 1664/min. 188 of May 20, 1963, I declare: I DO NOT RECOGNIZE THE DECISION OF THE HOLY BISHOP'S ASSEMBLY AND SYNOD ABOUT DIVIDING THIS ONE DIOCESE INTO THREE NEW DIOCESES, NEITHER RECOGNIZING MY SUSPENSION AND DISCHARGE FROM MANAGING OF THE DIOCESE, nor will I give up my duty until the Diocesan Church-National Assembly makes its decision because they said your decisions were made against the Constitution and the Law.

I recognize, besides God's, certainly the competence of the Holy Bishop's Assembly and Synod when they comply with Holy Canons and legal rules. Also, I recognize the judgment of these people here to whom I am a most devoted and faithful servant for 23 years with all my power, knowledge and abilities. That is why I expect judgment of the people gathered on their Church-National Assembly. If the Assembly also sentences me, as you did, then I shall say as I always do—"O Lord, let Your sacred will be done," and I will give up my duty.

Why cannot I recognize the DECISION of the Holy Bishop's Assembly? Because of the same reasons that I mentioned in my Report of the Assembly in connection with the Patriarchate's Delegation. In my case, you brothers Bishops, broke the Constitution of the Patriarchate itself, paragraph 218 which says: *"Nobody could be (cannot be) punished by any church punishment without a previous questioning (hearing)."* And nobody heard me, nor asked me anything, nor sent me charges for my reply. At the same time, you broke also paragraph 67 of the Penal Code that you yourselves have recently made. Also, you broke paragraphs 219 and 220 of the Constitution of the Patriarchate. On the ground of the paragraph 219 you have put me under suspension of carrying out Bishop's duties; and on the basis of paragraph 220 you have discharged me—as a person who misused church property—you discharged me from bishop's position of this Diocese and took away from me the right to manage it. However, the facts are:

1) Several complaints started against me since 1943, especially from communistic cells of Americans and Canadians. My submitted report to the Diocesan Council in 1957 is the best evidence of that. You yourself know how many times the communistic regime required you to dis-

miss me, to punish me or at least to decrease my anti-communistic and national serbian activity. Some of the complaints originated within the period 1952-1957. Only one of them, yeromanach Arsenije Tosevic's, was given to me to reply. I gave my answer and it was filed. At that time, the leaders of the Serbian National Defense (Srpska Narodna Odbrana) under the presidency of Mihailo Ducic, was against me.

Some of the indictments were published, in the form of articles, the papers "Jedinstvo" ("Unity") in Chicago, especially in the column "Diocese or Anarchy." The editor of the column was Mr. Momcilo Djujic. In the same column some other persons took part, and I had to sue the said newspaper, the editor, participants and owner of the newspaper. In the indictment I mentioned Mitar Bulatovic, Savo Vujnovic, Luka Pejovic and his other assistants—Djujic and others. In the meantime, Mr. Luka Pejovic sued the Serbian National Federation (Srpski Narodni Savez), but he declared—if I withdrew my indictment against him—he would withdraw his against the Federation. Then Dr. Uros Seferovic intervened, and there was a correspondence with the Federation, so finally I withdrew my indictment for the sake of peace and unity in our immigration. But, they did not withdraw their indictments and reports addressed to the Holy Bishop's Synod against me! Said reports the Holy Synod has never sent to me for a reply. Also, there are private letters sent to some bishops and friends, by which I was accused. Metropolitan Damaskin himself told me that Mr. Milutin Devrnja wrote a couple of letters against me to Bishop Hrizostom and to others.

Metropolitan Damaskin privately told me that there is an accusation of a "certain" lawyer. Most likely, the late Silaski's. That indictment would be exactly 15 years old. Nobody ever sent it to me for a reply! In connection with

the same accusation, the present Patriarch himself, during his visit here in 1951 as a Secretary of the Holy Synod, told me that the accusation was thrown into a wastepaper basket. Well, why they did not send it to me for an answer in due time? As a matter of fact, I officially do not know who is accusing me and for what! Why have the Holy Bishops' Assembly and Synod punished me? My reply is—UNDER THE PRESSURE OF THE REGIME! Because, if they wished, they had plenty of time for a canonical and legal investigation and study of all complaints, and then to make a just decision.

2) The Patriarchate delegation last year received some "indictments" against me from the priests who were the members of the political organization "ZBOR." Then, from the same ones and some others—the members of the Priests' Association in South Bend, Indiana. In the year 1958, Momcilo Djujic wrote to me that he is condemning writing of the magazine "Jordanville Missionary" as well as those who are trying to spoil my reputation. At that time, he praised me as a best Serbian Bishop. In 1962 he started attack against me—certainly because of some personal reasons. By his letter dated Dec. 8, 1949, he attacked priest Glocar and said that he (Glocar) "draws a red furrow in his parish." Now, he begins to defend him, and is supported by some priests in "Zbor," even though he attacked them severely in 1958!

On one of our meetings (held on March 5, 1961) he openly attacked Patriarch Gherman who "*has completely accepted service to the communistic regime and systematically destroys our Church in the fatherland,*" demanding a struggle *against the Patriarch to commence "in order to stop the evil."* I defended his Holiness the Patriarch. I was supported also by Dr. Milan Gavrilovic and that is why a struggle against the Patriarch did not begin by us.

Now, it does not bother Djujic to copy the Synod Epistle to the people here and distribute it to the people against me, together with the members of the movement "Zbor." In a home of a well-known member of "Zbor," e.g., it is known, an insulting circular letter was written. It was signed by Dr. Puric against me! From him and from some priests the Delegation of our Patriarchate, it is believed, received some complaints against me; and now on the basis of these slanders, you, brothers the Bishops, sentenced me! I asked the Delegation to present to me a report; what and by which priest was something written against me, or reported, but nothing was given to me.

3) The Patriarchate Delegation submitted its report to the Assembly. I sent mine. Copies of the report I gave, before the Assembly, to the members of the Delegation. Metropolitan Damaskin made no objection to my report, and Bishop Nikanor of Backa—when I asked him: "*How long the Holy Bishop's Assembly could defend me from the regime?*" he did not say anything, but when he received my report, he wrote me that it is not true what I asked him. Everybody can confess how much they used to talk to me against the communists and the regime. The report of the Delegation is, accordingly, partial, untrue and not in compliance with the reality. On the basis of that report I have to lose my Diocese, I am suspended and sentenced! I categorically request to have a copy of that report to have it compared here with my report in order to see which is true, which one should be trusted and which one shouldn't. So far I have been an official member of the Assembly and accordingly I have right to request it as a member of the Holy Bishop's Assembly.

How is it possible that all the "numerous indictments" against me the Holy Bishop's Synod kept for years in its chest of drawers, and has found them now in conformity

with the paragraph 219 of the Constitution, that I in my life and work are causing scandal among the people—if there is any? You realize that now, after so many years? Now is my life and work "scandal to the people," as cited in the said paragraph of the Constitution? But, this is what is true: now my work is more dangerous for the communistic regime, because on the field of struggle I really have become more active. The Holy Bishop's Synod knows very well, as I told the Delegation, it should give me all the indictments for my legal reply, not to prejudge a sentence which eventually to put on Bishop Dionisije, even in case they are false and cannot be proved. Why were my accusers hidden by the Holy Bishop's Assembly and Synod?

4) On the basis of paragraph 220 of the Constitution of the Patriarchate, the paragraph that refers to the material misuses, you are taking my Diocese away from me, and for the "vacant" Diocese appoints an administrator! Neither the Patriarchate, nor the Delegation required any report concerning the misuses in question from the Diocesan Executive Committee or Council, or from me, or from any other official of the Diocese. They simply received the reports "for granted," and suspended me from the bishop's duty! These slanders originated in 1951 when Momcilo Djujic refused to come to consecration of Shadeland because, he said, Bishop Dionisije did considerable material misuses. The alleged misuses were discussed also at the meeting of the clergy in South Bend, Indiana, in front of the Delegation. Metropolitan Damaskin was in America almost for three months last year and he had time—if he wanted to—to see whether this indictment was true. He did not do that, but in his false report he suggested my dismissal from the Diocese! What would be his next move? To suggest suspension of my rank as Bishop because it must

be for them my great sin to publish my defense the same way as the Holy Synod published its sentence! The Holy Bishop's Synod informed the public about its decision. It was right that Bishop Dionisije also inform the public about his defense.

The mentioned paragraph of the Constitution says that it is necessary previously to examine the truthfulness of a report, and study the matter, hear the accused, even to send him a copy of an indictment for the purpose of a written explanation—and then to make a decision. The Holy Bishop's Synod did not do that; neither did the Holy Bishop's Assembly, nor did any of the competent factors. *Evidently, it was exactly an order: We have to eliminate him, we have to find him guilty, because his activity, national-political activity "bothers us in our country,"* as was said in Paris and New York by the Delegation's Secretary, protodeacon Brana Petrovic! Why does it bother them? The communists put a pressure on them because of me; the communists do not like what I am doing against them, and they are trying to destroy me. I understand that, and that is why I cannot accept these decisions which are unjust, illegal and uncanonical.

Your Holiness, brothers the Bishops, be sure that above you there are two courts: God's and people's. Both shall reach all of you. With your decisions you annoyed the peaceful and good people of Serbian colonies, communities, associations and organizations. *You shall also cause a split in our Church and one in this very Diocese, too. You know, you enabled Tito's regime to step into this Diocese. Tito wins now and St. Sava loses. But, together with all the patriotic Serbdom I will remain on the line of a struggle against communism. There shall take place split also in other parts of the Church—in diaspora. You shall see for yourselves how many of the people shall stay with the*

Patriarchate! This Diocese will not split, and will not allow you to push it under Tito's control. To me, however, let the merciful God be good and I repeat: LET HIS HOLY WILL PREVAIL AND GLORY TO GOD FOR EVERYTHING.

Peaceful Servant of God
American-Canadian Bishop
Dionisije

PLAINTIFFS' EXHIBIT 841

SERBIAN ORTHODOX DIOCESE
for the United States of America and Canada
Serbian Monastery of St. Sava
Libertyville, Ill.

February 13, 1962
No. 115

YOUR HOLINESS
DEAR BROTHERS IN CHRIST-BISHOPS
MEMBERS OF THE HOLY SYNOD
ASKING FOR YOUR BLESSING:

In connection with the letter of the Holy Bishop's Synod, No. 2676/Min.503 of September 13, 1961, we report:

It is true we are working to amend our Diocesan Constitution. A special committee, with its head of the Very Rev. Dusan Klipa, our Vicar-General, is entrusted to work on that problem. According to the decisions of our Church National Assemblies and in the meaning of the Constitution of the Diocese, the duty of this committee is to prepare and recommend all amendments of the Constitution of this Diocese.

The work of this Diocesan Committee is near to the end, and, when they finish all amendments and after their approval, all material will be sent to the Bishop's Council for final approval.

Because of the Church needs of our people on this continent, the opinion exists, and it is a decision of our Church National Assembly that this Diocese should be elevated to the rank of Metropoliya. In connection with our previous correspondence, this Metropoliya, besides a Metropolitan, should have two-three Vicar-Bishops—which means suffragans in America, or Vicars to us. In connection with this and in the spirit of our old Church laws, as well as the existing laws, it should be written in respect of our Church autonomy and the rights of these people, having in mind that it never may happen that the Serbian people may separate from its Patriarchate, but, at the same time to be consulted in regard to the election of its Bishops. A media must be found to satisfy the rights of the Holy Bishop's Council of our Church as well as of our people here. Our efforts are only in that direction.

To resolve that problem, it is most likely that this Spring our special delegation will arrive in Belgrade with all proposals and elaborate. The delegation has to come in connection with Brethren-Bishops of the Holy Bishop's Assembly, so that, after its return to the U.S.A., the delegation may explain to our people about the possibilities, and then recommend what has to be done.

Our view is that this delegation may invite Your Holiness to visit this Diocese next year and to be present at a special meeting of our Church National Diocesan Assembly (Sabor). During the stay of Your Holiness, here, you may visit all our bigger Church congregations and serve the Holy Liturgy blessing all the faithful of this Diocese. At the same time, some material help to our Patriarchate and its mission might be collected.

In hope that this explanation is sufficient in connection with the aforesaid question of the Holy Synod, I am, remaining in brotherly love in Christ,

American and Canadia Serbian
Bishop
Dionisije

To: The Holy Bishops' Synod
of the Serbian Orthodox Church
Belgrade, Yugoslavia

PLAINTIFFS' EXHIBIT 84L

THE HOLY SYNOD OF THE
SERBIAN ORTHODOX CHURCH
No. 1986/265
JUNE 13, 1963
BELGRADE

YOUR GRACE,

The Holy Bishop's Synod at its meeting under the above number and date issued the following decision:

"In connection with decision of the Holy Bishop's Synod Number 1664/188 of May 10th, 1963 by which a legal proceeding was started against His Grace Bishop Dionisije of Middle-Western American Diocese, the Holy Bishop's Synod is entrusted to His Grace Bishop Chysostom of Branchivo and His Grace Bishop Visarion of Banat to go to the U.S.A. and on the basis of Article 67 and 90 Church code procedure, examine all things, to fulfill necessary hearing of accused and witnesses as well as to collect proofs and to submit the findings, with all documents and report to the Holy Bishop's Synod for further procedure.

For accomplishment of this job to them are added, as helpers and technician, personnel, the very Rev. Mladen Mladenovich, Protodeacon, Secretary of the Holy Bishop's Synod and Bozidar Tripchevich, Secretary of Ecclesiastic Court of Belgrade-Karlovci Archdiocese.

We have the honor to notify you with a request to correspond to the invitation of their graces Bishop Chrysostom and Visarion for the hearing.

Your Graces in Christ,

For the President of the Holy Bishop's Synod
Member

Bishop of Timok
Emilijan

PLAINTIFFS' EXHIBIT 84S

TO: THE HOLY BISHOP'S SYNOD OF THE
SERBIAN EASTERN ORTHODOX CHURCH
BELGRADE, YUGOSLAVIA

November 18, 1963
Monastery of St. Sava
Libertyville, Illinois

YOUR HOLINESS,

This is to acknowledge receipt of the official document of the Holy Bishop's Synod no. 3215/min.509, dated Oct. 18, 1963, with attached INDICTMENT of the Church-Court Prosecutor, His Grace Bishop of Zica, Vasilije. This I received on November 3, 1963, and the official document itself arrived at the Libertyville post office on Oct. 31, 1963. The Indictment is written on a typewriter, on 38 typed pages.

As the material in question was quite abundant, and in accordance to God's and people's justice, it was necessary for me to know the details before my reply and before the day of hearing, and my answer to the Indictment, I kindly request the Holy Bishop's Synod:

1.—To allow me an extended term for my reply to 6 months (180 days), counting from Dec. 1, 1963.

The Rule of 19 of the Carthage Council, mentioned by the Holy Bishop's Synod, equally relates to the day of

hearing and the one of the trial, and the time of reply, at the same time foreseeing extension of the term as well. This rule supposes that an accused Bishop should be at least in the same state, on its territory. I do live in another state and on another continent.

The Serbian Eastern Orthodox Church Court Procedure, paragraph 109, foresees flexibility, moving of terms by the competent authority. I do not deny the competence of the Holy Bishop's Assembly and Synod in legal way. The Holy Bishop's Synod can—if wishes—to allow me the required term. Thus, the taking of my rank away from me as planned, could at least be covered by meeting of same legal requirement of accused Bishop Dionisije.

Besides, two weeks ago, I had a traffic accident (automobile crash) and my spine is hurt, and I have to get treatment. I have doctor's certificate to prove that, and also X-Rays, if you do not believe me. When I recover a little so I can walk a little better—and for purpose to prepare my defense I need to visit many places before I might give my detailed reply to the Indictment received.

2.—On the ground of my legal right, of paragraph 81 of the Old Rules for Courts as well as paragraph 67, item 4 of the new Rules (Procedure), I am requiring all the reports, complaints and denunciations to be sent to me copied and verified, all what is mentioned in the Indictment. The expenses of the copying I shall personally bear in conformity with the above paragraph of the Procedure.

I authorize three priests: V. Rev. Kosta Lukovic, Dusan Vasic and Milisav D. Protic to carry out the transcribing the material in question. Attached hereto please find my personal Power of Authority which you kindly hand over to them.

In case they refuse to do so, because of various reasons, I shall find somebody else to do so, and this can be ac-

complished in the Holy Bishop's Synod Office, provided that during the transcribing neither a line nor a word should be omitted. In case the Holy Bishop's Synod office performs the copying I shall bear all expense.

Truly
Bishop Dionisije

PLAINTIFFS' EXHIBIT 84T

November 18, 1963
Monastery of St. Sava
Libertyville, Ill.

POWER OF AUTHORITY

In connection with Indictment against me, signed by Bishop Vasilije of Zicha, I, the undersigned, am authorizing Very Reverends: Kosta Lukovich, Dushan Vasich and Milisav D. Protich, to transcribe-copy, all reports, charges and denunciations sent against me to the Holy Bishop's Synod. The authorized copies the Holy Bishop's Synod have to send to me, with the return receipt requested.

I am kindly asking the Holy Bishop's Synod to give at their disposal all material concerned for rewriting, which is mentioned in the Indictment. All expenses will be covered.

Serbian Orthodox Bishop
DIONISIJE

PLAINTIFF'S EXHIBIT 84Q

THE HOLY BISHOP'S SYNOD OF
THE SERBIAN EASTERN ORTHODOX
CHURCH
REF. NO. 2401/MIN.354
JULY 29, 1963, IN BELGRADE
TO: HIS GRACE BISHOP DIONISIJE
LIBERTYVILLE

YOUR GRACE,

The Holy Bishop's Assembly of the Serbian Eastern Orthodox Church, on its meeting held on July 27, 1963, ref. no. AC no. 42/min.2, has decided

"The Holy Bishop's Assembly of the Serbian Eastern Orthodox Church states that His Grace Bishop Dionisije Miliojevic broke his bishops oath and lost the conditions provided under paragraph 104, items A and G of the Constitution of the Serbian Eastern Orthodox Church, stipulated for position of diocesan bishop, and on the ground of paragraph 111 of the Constitution of the Serbian Eastern Orthodox Church; dismisses him from the duty of diocesan bishop, and the Mid-west American Diocese proclaims vacated."

We are honoured to notify your Grace about the above.
Your Grace brother in Christ

Serbian Patriarch
Gherman

PLAINTIFFS' EXHIBIT 84W

SERBIAN EASTERN ORTHODOX DIOCESE
FOR THE U.S.A. AND CANADA
SERBIAN ST. SAVA MONASTERY
LIBERTYVILLE, ILL., U.S.A.
JANUARY 25, 1964
D. PROTOCOL—OFFICIAL.

TO: THE HOLY BISHOPS' SYNOD
OF THE SERBIAN EASTERN
ORTHODOX CHURCH
BELGRADE, YUGOSLAVIA

It is being sent back to the Holy Bishops' Synod the official document no. 3676/min.647 of 10th Dec., 1963, reg. no. 539060, which arrived to Chicago on Jan. 15, 1964, and to Libertyville on Jan. 16, 1964, as it is evident from the envelope which is being sent back as well.

At the same time, without a reply is being sent back also the act of the Holy Bishops' Synod, ref. no. 3215/min. 509, of Oct. 18, 1963, with an attached INDICTMENT, which was written by Bishop of Zietha Vasilije, on his own shame. All of this is being sent with the following explanation:

1.—Since intentions and orders of the communistic regime in Yugoslavia are in question, it is absolutely useless to write anything, or to discuss and to prove to the Holy Bishops' Synod, Assembly and Schismatic His Holiness Serbian-Macedonian Patriarch Gherman, who breaks many rules of the holy canons as well as several regulations of the Constitution of the Patriarchate and Procedure for Church Courts, Penal Code, procedure and Constitution itself of this Diocese. It is evident from the following brief explanation:

(a) His Grace Metropolitan Damaskin, during his visit to America, himself noted that all accusations against me shall be presented to me for reply, and Bishop Backi Nikanor mentioned that in the minutes. That right of accused was not respected by the Holy Bishops' Synod and even denied it to me. The Holy Bishops' Synod has published the above its official document (act) in the papers (newspapers) in here before any reply from me, even denying my request for an extension of a term for an answer—and by that the Holy Bishops' Synod commenced also an open fight against me, giving chances to irresponsible elements here for different comments causing me a personal harm as well as to our Holy Church. Is a high Church authority as the Holy Bishops' Synod allowed to do something like this?

(b) From the Secretary of the Holy Bishops' Synod testimony (Very Rev. Mladen Mladenovich) before the American Court in Waukegan, Illinois, it is evident that the delegation headed by Metropolitan Damaskin did not have a slightest intention to reestablish spiritual connections between Yugoslavia and this Diocese (!), the connections which were not broken, but to collect many accusations against me as possible. By that, he exploited our hospitality and made a sin which shall never be forgiven to him. Why did he not give me all the accusations or sent them for reply? He did not do that; he even hides names of my accusers. That is why I accuse Metropolitan Damaskin and the Delegation before history, all the Serbdom and God. The same I shall do before any legal court. He broke 6th canon of the Holy II Ecumenical Council and others as well.

Metropolitan Damaskin and his Delegation did not have a national feeling or courage to defend truth and justice, but severely objected, when in their presence I attacked

communism and the communistic regime in Yugoslavia. He, himself, Metropolitan Damaskin, caused a scene in Cleveland, the one which the procommunistic group here used and made a noise causing bad consequences in the Church Community of Cleveland as well as different comments on our Church's account.

2.—The Holy Bishops' Assembly, Synod and schismatic Patriarch Gherman broke many sacred canons, even the Constitution of the Patriarchate and the Rules of the Procedures of Church Courts, Penal Code of the Serbian Orthodox Church. In their obedience to the communistic regime by breaking the valid church rules they exceeded even communistic courts. Some of their trials when it is necessary have appeared in a legal form as it was the case of trial of General Draza and others!

When some church authority learns about any guilts of anyone of the Church, it immediately orders an investigation through some lower authority. When the lower authorities accomplish a necessary investigation, the whole matter are sent for decision and trial to first competent authority; later it goes to a higher one (because of an appeal or by official duty). However, this normal procedure was not applied to me, but first I was sentenced by the Holy Bishops' Assembly—the highest church authorities—and then the matter was given for investigation to a lower authority, i.e. the Holy Bishops' Synod!

There actually was no investigation. The Investigating Commission did not make available to me for evidence the necessary court material, did not hear my witnesses, didn't see me face to face with my accusers, etc. Essentially it was true that the Commission did not come to investigate the accusations against me, but to strengthen my accusers and to help the communistic plan for my fastest possible "liquidation"! The Delegation met with me only once and

hastened to carry out what had been ordered by the COMMISSION FOR RELIGIOUS AFFAIRS from Belgrade. Thus, THE INVESTIGATING COMMISSION did not do for what it was invited by our Diocesan Council. That is why I accuse the INVESTIGATING COMMISSION before History, before Serbian People, and the same I shall do before any Court on the ground of all positive laws and rules referring to the investigation.

By its Act, ref. no. 3676/min.647, of Dec. 10, 1963, the Holy Bishops' Synod denied me also the right of complaint against its decision as well as the right of presenting available all accusing material. By that, the Holy Bishops' Synod breaks the certain rules of the Constitution of our Patriarchate, the rules which say that the Holy Synod is the first body, and the Holy Bishops' Assembly the last and highest in cases of conflicts with the Bishop.

3.—Even the simplest, honest man may realize that it is not possible for me to defend myself in Belgrade which is about 6,000 miles away from America. It was necessary and should have been done: to complete all the investigating material and procedure in here, on the very spot, and then to transfer it Europe, Belgrade, for further decision. Besides, all of that, under the circumstances, I do not have a feeling of safety to go to Belgrade to defend myself, and I have no possibility to bring my witnesses there, nor to face my accusers in the court. When St. Cyril and St. Methode were on trial before a court in Rome in connection with accusations of German Catholic priests, it took almost two years. I was allowed only the term of two months! The tendency is evident. On the basis of the fact that the Court of the Holy Bishop's Synod and Assembly in Belgrade are very partial, as obeying the Commission's orders, I asked for *exemption* of that Court and turned to the Patriarch in Constantinople for protection. I agreed

also that in America to be formed an honest Bishop's Court from the Bishops of free orthodox Churches, a Court where I will be allowed to defend myself and to prove that the accusations are lies.

Let the Holy Bishops' Synod, the schismatic Patriarch Serbo-Macedonian Gherman, and the Holy Bishops' Assembly, know that I shall use all available means and all the rights given to me by the holy canons and church legislature to defend my name, honor, reputation, and dignity.

I am adding that His Holiness Patriarch of Serbo-Macedonian Church, praying for the atheistic-communistic regime, for their President and authorities and cooperating with them BECOMES A HERETIC. Against him, who divided the Serbian Eastern Orthodox Church, and served as a communistic tool for that purpose—and did not defend the Church with a readiness to give his soul for the rights of the faithful people—Serbian People—we shall also take legal steps before some courts. We are accusing him before history, before the Holy Orthodox Church, before God and Serbian Nation who very soon will sue him.

Serbian Eastern Orthodox Bishop
for America and Canada
Dionisije

PLAINTIFF'S EXHIBIT 84X

In the Monastery of St. Sava, Libertyville, Ill.

November 14, 1963

COMMITTEE FOR RESOLUTIONS AND GREETING OF THE TENTH DIOCESAN CHURCH NATIONAL ASSEMBLY

Dr. Milorad Draskovich — Secretary

Dr. Ranko Braschich — President

MEMBERS

Nick Stepanovich
Dr. Urosh Deferovich
Jovan Kontich
V. Rev. Ugljesha Jelich
Sofija Duchich
Miolsh Bajcetich
Robert Lagator

VERIFIED BY THE PRESIDENCY OF THE ASSEMBLY

Tenth Church-National Assembly
Bishop Dionisije, President
V. Rev. Svetozar Radovanovich, Vice-President
David Bundalo, Vice-President
Daniel Prodonovich, Assist. Vice-President
Dragisha Milich, Secretary
Janko P. Kovacevich, Secretary for English

The Tenth Church National Assembly of the Serbian Orthodox Diocese for the United States of America and Canada, in continuance of its session, held on November 12, 1963:

WHEREAS is has been advised in the report of its Presidum and the Diocesan Administrative Board that the Holy Synod of Bishops of the Serbian Orthodox Church in Belgrade, in its Act No. 2771/Record 371, dated September 3, 1963, refused to take into consideration the

justified demands of this Assembly, as the legitimate representative of the absolute majority of the church and school communities united into this Diocese, as well as of their members and parishoners, as set forth in the Assembly's Resolution dated August 8, 1963, and;

WHEREAS it has established, in full agreement with the Diocesan Administrative Board and its announcement, dated September 28, 1963, that this decision of the Holy Assembly of Bishops and of the Synod, from May and July, 1963, was issued under the pressure of the present Communist regime in Yugoslavia, which can be supported by overwhelming evidence, and;

WHEREAS in a detailed debate in which a great number of the present delegates who presented the absolute majority from the territory of this Diocese participated and;

WHEREAS it has heard the report of its Committee on Resolutions and Greetings and the Committee for the Modifications and Amendments of the Diocesan Constitution,

has unanimously adopted the following

DECISION

1. In accordance with the provisions of article 3 and article 7, Subsection 2, of the Resolution of the Church National Assembly of August 8, 1963, the Serbian Orthodox Diocese for the United States of America and Canada is hereby declared COMPLETELY AUTONOMOUS and as such it will receive in the future any orders, decisions, or decrees from the Patriarch, The Holy Assembly of Bishops and the Synod of the Serbian Orthodox Church in Belgrade, as long as they are unable to act freely; bring their own decisions freely, which decisions they are now bringing under pressure of the Communist regime in Yugoslavia.

It shall be so as long as Yugoslavia is in Communist captivity, and once this captivity ceases the very same relations between this Diocese and the Serbian Orthodox Patriarchate shall be reestablished as they existed before the Second World War. In this period, as the only free Diocese, this Serbian Orthodox Diocese for the United States of America and Canada, will serve as a sanctuary for all orthodox Serbians and their religious establishments in the free world, and at the same time this Diocese will protect the interests of the Mother Church, her hierarchy and her faithful in the enslaved fatherland.

2. The Diocesan Council and the Diocesan Ecclesiastical Court are authorized in case of legal necessity, and with the aim of securing the canonical-judicial continuity and unity for this Diocese, insofar as the hierarchial organization or the reorganization of this Diocese has not been put into effect, to seek cooperation or assistance of any canonical Orthodox Church in the free world.

In this regard, and in case of necessity, the Diocesan Council shall convoke the Diocesan Church-National Assembly in extraordinary session.

Libertyville, November 13, 1963
Committee for Resolutions and
Greetings:

Secretary

Mr. Milorad M. Draskovic

Chairman,
Dr. Ranko M. Brasic

MEMBERS OF THE COMMITTEE:
Nikola Stipanovich, Dr. Uros Seferovic, Sofija Ducic, Very Reverend Ugljesa Jelic, Jovan Kontic, Milos Bajcetic, Robert Lagator

Committee for Modifications and
Amendments to the Diocesan Constitution:
Chairman,
Dr. Caslav Nikitovic

MEMBERS OF THE COMMITTEE:

Archimandrite Irenej Kovaceyic, Nikola Stipanovich, Dr. Ranko M. Brasic, George Bujnovich

PLAINTIFF'S EXHIBIT 84CC
SECOND PROCLAMATION
November, 1963
of the
Tenth Church-National Assembly of the Serbian Orthodox Diocese in the United States and Canada, convoked into Regular Session of the Days of August 6-9, 1963 and Continued on the Days of November 12-14, 1963 in the St. Sava Monastery, Libertyville, Illinois

The presiding officers and delegates of the Tenth Church National Assembly of this Diocese in its continued and conclusive session which took place on the dates of November 12, 13, 14, 1963, send their brotherly greetings, to those who together with them defend the existence, unity, autonomy and liberty of our mutual Serbian Orthodox Diocese of the United States and Canada. Also to all Serbian brethren who are in the free world and who, together with their Church School Congregation, seek the shelter and protection of this Diocese. Also the faithful Serbian Orthodox Clergy, priests and monks and all of the brethren in our enslaved Fatherland, with the brotherly greeting we send the expression of sincere and brotherly feeling for their suffering under present persecution with an assurance that they are not forgotten and will not be forgotten in the future. We are fighting for our and their mutual benefit. May God and St. Sava be with all of us now and forever.

Executing the decisions of the Assembly resolution of August 8, 1963, the presiding officers sent their resolutions to His Holiness Patriarch of the Serbian Orthodox Church in Belgrade, Yugoslavia. The tendency was to give the Patriarch and the Holy Synod a possibility once more in a period of time mentioned in Art. 7 paragraph 1 of the resolution to reconsider their decisions issued in May and

July of this year in order that they could respond to justified goals of the Tenth Church National Assembly (Sabor) as the supreme body of the Serbian Orthodox Diocese in the United States and Canada.

Thus the Tenth Sabor answered the wish of the delegates, membership and parishioners of the Church School Congregations which they represented, and to show that the best wish to bring this problem back to a path of legality and justice and the true interest of our Mother Church in the old Country and all over the free world.

Instead of a direct answer to the presiding officers of the Assembly which procedure should be not only christian but also for the well understood interest of our Holy Mother Church, The Holy Synod distributed its decisions No. 2771/371 of September 3, 1963 as a leaflet throughout the United States and Canada. This was of distribution and offending manner and contents of this decision convinced this Assembly and all members of this Diocese that the above mentioned decisions is a consequence of the difficult and enslaved condition of our Serbian Orthodox Church in Yugoslavia as well as permanent pressure and permanent iron control of the Communistic Federal Religious Committee for Church matters upon our Church.

The contents of the above mentioned act of the Holy Synod would even in normal time convince every individual and every organization that any further attempt to a peaceful solution of the present situation is a complete illusion. However the legal advisor of our Diocese, Mr. Nick Stepanovich showed his readiness to make one new attempt for such peaceful solution through a negotiation with the representatives of the three newly appointed Bishops. The executive board of the Diocese did not wish to prevent his action even though he was convinced that the negotiations would be fruitless.

A very interesting fact to be emphasized that the meeting took place on the 9th and 10th of Oct. and the newly appointed Bishops signed an injunction on the day before, asking the Circuit Court in Waukegan to prohibit Bishop Dionisije as to the handling of the financial incomes and control of all funds of the Diocese. This action was brought before the court on the 14th of October in spite of the promise to continue negotiations and to search for a possible peaceful agreement.

The whole action of the enslaved Bishops council and Holy Synod against the unity, autonomy and liberty of this Diocese was secretly prepared by the communist party of Yugoslavia. So was the procedure of the three newly appointed Bishops in the course of their conversation. The legal advisor of the Diocese was right in his statement that this was a Pearl Harbor for the Serbian Orthodox Diocese in the United States and Canada.

The newly appointed Bishops received a dignified response from Judge Phillip Yeager, in the Circuit Court in Waukegan, who rejected their injunction. It is understood that this action will be continued as well as new actions will be started not only against the Diocese, but also against certain Church School Congregations. A senseless waste of money given by the Serbian people will be spent instead of being used for the benefit of the Mother Church in the old country and in the new world. A hatred and intolerance will be sewn among us, smearing the dead and living, as of communist need since they have proven to be the best masters of this kind of subversive action.

With the deepest regret of the events which will yet occur in the future, this Tenth Church National Assembly wishes to state an undeniable truth; that it did not cause this tragedy and that the Assembly, and the people whom the Assembly legally represents, are not guilty of this. Before God, St. Sava history, people and generations yet

to come the responsibility of this action falls on the communist rulers in the enslaved old country (Yugoslavia) as well as those who didn't help in any way to prevent or obstruct the course of these events.

This Assembly cannot neglect the fact that the propaganda which is lead by and in behalf of the newly appointed Bishops and their Dioceses, existing only on paper, is a propaganda just of the same type as that of the totalitarians against their adversaries. Lies, insults and calumny are the tools of such propaganda so that we who are attacked, have to be ashamed because of them.

This Assembly is deeply convinced as the highest body of the Diocese as well as His Grace Bishop Dionisije and all other officials of the Diocese, that it has been done their best in trying to find a compromisable agreement as a solution of this tragic situation. We passed over the humiliation and degradations since we had in mind only the best interest of our Diocese as the only one, free Diocese of our Mother Church—Serbian Orthodox Church of St. Sava.

Several times it was emphasized and put into the last amendments of our Constitution which were adopted at the Tenth Church National Assembly that our Diocese is considered as a part of the Serbian Orthodox Patriarchate of the Kingdom of Yugoslavia. With this, we wish to emphasize and put in the minutes of history, that we are a continuation of the old, free, Mother Church and her last free part. We are aware that this situation dictates to us special duties and obligations, but we are also aware as true and devout sons, that we will never fail completely to fulfill these duties for the benefit of our Serbian people and our Mother Church.

All the afore mentioned and many other circumstances which are generally well known leave no other road to the Assembly, to the Diocese or to its faithful followers but

to start to establish our completely autonomous and independent Serbian Orthodox Diocese in the United States of America and Canada.

Once again this Assemly wishes to give a most decisive and most solemn declaration: we are not receding or breaking the unity from our Mother Church. Since we are the true continuation of the last free Diocese of the once free Serbian Orthodox Patriarchate in the free Kingdom of Yugoslavia.

In view of the aforesaid, and deeply convinced that the Almighty God, who knows and hears everything and is everywhere present, is looking upon us with Blessings and that he is showing by his Providence to us with his immeasurable mercy the road which to follow and which shall our posterity to follow in the future, then in the same conviction that by following that road our Diocese may remain free and will be able to prevent communistic infiltration into our minds, in our organizations and institutions, this Tenth Church National Assembly of the Serbian Orthodox Diocese in the United States and Canada at its sessions of November 14, 1963 unanimously adopted the following:

RESOLUTION

1. According to the Art. 3 and 7, Paragraph 2, of the resolutions adopted in the Assembly of August 8, 1963, the Serbian Orthodox Diocese in the United States of America and Canada by this itself

PROCLAIM

Completely Autonomous and as such will not receive any future orders, decisions or resolutions from the Patriarch, from the Bishops Council, nor from the Holy Synod of the Serbian Orthodox Church in Belgrade, Yugoslavia, until

they will be able to act freely and their orders may insure freedom since they are now under the pressure of the Communist government which is in power in Yugoslavia. This procedure will last until Yugoslavia is in the Communist slavery. And when this slavery ceases, the relations between this Diocese and the Serbian Orthodox Patriarchate will be the same as it was before the second world war.

During this period of time, this Serbian Diocese in America and Canada as the only one free, will serve as a sanctuary for all Orthodox Serbs and their National and Religious institutions in the free world, and it will take care to help the Mother Church in the enslaved Fatherland, her Hierachy and faithful.

2. Consider it indispensible to solemnly repeat once more that this Assembly does not recognize and consider them unlawful, unconstitutional, nonexisting and nonvalid decrees and decisions of the Holy Bishop's Council and Holy Synod of the Serbian Orthodox Church of Yugoslavia. These decisions notified to this Assembly, are concerned as to the division of our Diocese into three new Dioceses, suspension and banning of the duties of our Bishop Dionisije, and finally concerning the consecretion of the three new Bishops: Stefan Lastavica, Firmilian Ocokoljich, and Gregorije Udicki. That also applies to the decisions of the Holy Synod of No. 2771/371 from the 3rd of September, 1963.

3. Considering ourselves as a true continuation of that old and free Serbian Orthodox Church, we do not recede from our Mother Church; we only continue our traditional ways of the Serbian St. Sava Church and will remain on that way uncompromisingly until the final victory of the good against evil.

4. This Assembly is letting it be known to all our enslaved brothers to know, when they seek the path to freedom, that our Serbian Diocese in the United States of America and Canada will be their protection in the future as it was in the past, and will be truly careful Mother and will accept them in her Motherly lap. The brethren of St. Sava who remain in the old country should know that they are not forgotten and will not be forgotten in the future. On the contrary, we will be prepared with all our knowledge, faith and possibility to help them today, tomorrow and always until the day of liberation comes which we will celebrate together.

5. Let in this moment be heard our solemn and sincere pledge to God, St. Sava, our Mother Serbian Orthodox Church and the Serbian people that we will act and proceed according to our conscience and our deepest conviction and our best knowledge and skill in order to defend and assure the existence of unity and freedom continuation, interests and benefit of this our Serbian Orthodox Diocese in America and Canada. By doing this we are fighting in the benefit of our Mother Serbian Orthodox Church in the enslaved old country, as well as for the benefit and prosperity of the United States of America and Canada.

PLAINTIFFS' EXHIBIT 85

OFFICIAL REPORT OF THE MEETING OF THE DIOCESAN EXECUTIVE BOARD

The Diocesan Executive Board met at its regular session on Wednesday, April 17, 1963, at the St. Sava Monastery in Libertyville, Illinois, and at this time issued the following

STATEMENT

The entire Diocesan Executive Board with Bishop Mr. Dionisije at the head unanimously and definitely stands for the SPIRITUAL, HIERARCHIAL AND CANONICAL UNITY WITH OUR HOLY CHURCH IN YUGOSLAVIA.

The BOARD was in the past, just as it is today, as it will be in the future, for the basic principle of Serbian Church constitutionalism, which states that the Serbian Orthodox Church is ONE, INDIVISIBLE AND SELF-GOVERNING.

We most emphatically denounce and condemn all prognostications, regardless of origin, which might even suggest that the Diocesan, Hierarchical or Church-Executive bodies are working in contradiction to the above stated principle.

With hope that our Holy Church with His Holiness Patriarch Mr. German as its head, will always in the future, as in the past, be prepared to understand and to conceive our wishes and needs stipulated by the specific conditions in which we live, and to accommodate us in this respect so that our unity and indivisibility might in this manner always be mutually manifested at the benefit of our entire Serbian Orthodox Church and Serbian people.

We most emphatically denounce and condemn all ill-intentioned presumptions and baseless assertions given in alleged destruction of the unity of our Holy Church, as well as inconsiderate attacks on church and clerical bodies and personalities of this Diocese.

In regard to the remarks relating to certain faults of our Bishop Mr. Dionisije and assumptions about his trial and discharge, we state that only the Holy Bishops' Synod and the Holy Bishops' Council of our Holy Church in Belgrade is competent for this matter and that they will bring their decisions and decrees by reason of all set forth.

We beg and appeal to all our Serbian people in America and Canada, congregated in our church-school congrega-

tions and other patriotic organizations, to accept our statement most sincerely and to emphatically squelch similar attacks in the future, not paying heed to them, for they are only detrimental and retrogress the normal life and work of our Serbian Orthodox Church in America and Canada.

Signed by: Bishop Dionisije (L.S.)
Archimandrite Firmilian (L.S.)
Archimandrite Balach (L.S.)
V.Rev. Milan Brkich (L.S.)
V.Rev. Dusan Klipa (L.S.)
V.Rev. Miodrag Djurich (L.S.)
V.Rev. Miodrag Mijatovich (L.S.)
Rev. A. Dimitrijevich (L.S.)
Dr. Uros Saferovich (L.S.)
Svetozar Maravich (L.S.)
Nikola Stepanovich (L.S.)
Dr. Djuro Radojovich (L.S.)
Milan Drobac (L.S.)
Milos Vidakovic (L.S.)
Milo Cvetkovich (L.S.)
Bozo Vujovich (L.S.)
Nikola Chabraja (L.S.)
Milan Radakovich (L.S.)

PLAINTIFFS' EXHIBIT 86

RESOLUTION
OF THE ANNUAL MEETING OF THE CLERGY
ASSOCIATION HELD MAY 8 and 9, 1963

The Clergy Association of the Serbian Orthodox Diocese of America-Canada at the annual meeting held May 8th and 9th, 1963, at the St. George the Martyr Church in Morain, Ohio, unanimously set forth the following

RESOLUTION

1. The clergy of the Diocese of America-Canada admitted in their Association, stands ucompromisingly for the spiritual, hierarchial and canonical unity with the Serbian Orthodox Church in the fatherland with His Holiness, the Serbian Patriarch and the Holy Bishops' Council at the head. This stand by the clergy was distinctly and unambiguously expressed at their annual meeting in Youngstown, Ohio, at their special meeting in South Bend, Indiana, and at the meetings of the clergy of the Archpresbyterates for the Middlewest and East. This stand was definitely formulated as well with the statement of the Diocesan Executive Board dated April 17th, 1963. With this statement, the Diocesan Executive Board, the competent Bishop Mr. Dionisije at its head, implicitly declares itself to be "for the spiritual, hierarchial and canonical unity with our Holy Church in Yugoslavia; that it was, just as it is today and as it will be in the future, for the basic principle of ecclesiastical Serbian constitutionalism which states that the Serbian Orthodox Church is one, indivisible and self-governing." In regard to this indivisibility, distinctly expressed at the above mentioned clergy as well as Diocesan official gatherings, the members of the Clergy Association declare that they will not avert from this course.

2. The members of the Clergy Association denounce all suggestions, regardless of origin, of any autonomy of our Church in America and Canada, which are automatically excluded by the official stand of both the clergy and the Diocese on the unity of the Church and which, being one, indivisible, and self-governing can only be governed in accordance with the Holy Canons of the Orthodox Church, the Constitution of the Serbian Patriarchate and the Constitution of the Diocese of America-Canada and what is most precious—the inheritance of St. Sava.

3. The Clergy Association condemns all unsubstantiated written and verbal assertions, that our church in the homeland—in the old country—is allegedly imposing her will upon us, which is directed by the present communistic authorities in Yugoslavia. All know that our Holy Serbian Orthodox Church exists under trying conditions today in our enslaved country and that just because of this she deserves explicit attention and moral and material support from us free Serbs. And even under such trying conditions, our Mother Church did not hinder the free and nor-

mal course of our church life here with a single act. No one, therefore, has a justifiable reason to seek any change in our relationship with our indivisible St. Sava Church.

4. Due to the undesired disagreements and disturbances in our Diocese because of the discussions on autonomies, the Clergy Association meeting moves and begs the Diocesan Council and the Board for the Change and Amendment of the Diocesan Constitution to refrain from presenting all requests to legalize demands for seeking autonomy and removal from our Holy Church at the following Church-National Assembly on the American-Canadian Diocese.

5. The Clergy most sincerely greets the Serb National Federation, the pioneer organization of the Serbs in America and Canada, which constantly contributed to the care and cultivation of the religious and national life in this Diocese.

6. From its meeting, the Clergy expresses its gratitude to the Serbian organizations, people and all newspapers who gave the clergy complete moral support due to all these arisen disorders by taking an objective and correct course.

7. The clergy most sharply condemns the provocative and unwarranted attacks on individual high church dignitaries of our Holy Church, as well as on the members of this Association themselves and other honest Serbs, through which disturbance and unnecessary comments are brought amongst the people.

8. As to the unhealthy and incomprehensible appearance of the illegal dismissal of parish priests by immediate expressions of inconfidence to said clergy by individuals and groups, the clergy remains consistently on the course outlined in the resolution under item I of the special meeting of the Association held November 19th, 1962, in South Bend,

Indiana. The clergy, members of the Association, remain decisively on the standpoint that in such instances they will not respond to vacancies in any parish created in such a manner.

9. In regard to the alleged faults and transgressions of our Bishop Mr. Dionisije, about which we hear and read, the Clergy Association stands implicitly in accordance with the decision of the Diocesan Executive Board dated April 17th, 1963, which states: "that only the Holy Bishops' Synod and the Holy Bishops' Council of our Holy Church in Belgrade is competent for this matter and that they will bring their decision and decrees by reason of all set forth."

10. We appeal to our Orthodox and patriotic Serbian people in America and Canada to remain faithful and unfaltered sons of their St. Sava Church in these disturbed times, with complete confidence in their archpriests and clergy.

Serbian Orthodox Bishop of America-Canada
Dionisije
Archimandrite Firmilijan Ocokoljich
Archimandrite Grigorije Udicki
V. Rev. Vlastimir Tomich
V. Rev. Milan Brkich
V. Rev. Stevan Prostran
V. Rev. Pavle Zelich
V. Rev. Milorad Dobrota
V. Rev. Dusan Klipa
V. Rev. Peter Punovich
V. Rev. Stevan Lastavica
V. Rev. Miodrag Mijatovich
V. Rev. Radica Purich
V. Rev. Miodrag Djurich
V. Rev. Emilijan Glocar
V. Rev. Djuro Vuskovich

V. Rev. Dr. Milan Popovich
V. Rev. Radovan Miljkovich
Rev. Hateja Matejie
Rev. Milan Dajich
Rev. Dusan Popovich
Rev. Velimir Petakovich
Rev. Aleksander Dimitrijevich
Rev. Djordje Lazich
Rev. Milan P. Markovina
Rev. Milorad Milosevich
Rev. Dr. Krstivoj Kotur
Rev. Slobodan Zivadinovich
Rev. Milan Savich
Rev. Bozidar Dragicevich
Rev. Miladin Garich
Rev. Vladimir Suka

PLAINTIFFS' EXHIBIT 87

Phone EMpire 2-9826

SERBIAN EASTERN ORTHODOX DIOCESE FOR
THE UNITED STATES OF AMERICA AND CANADA

June 7, 1963

V.Rev. Milan Brkich, pastor
Milwaukee, Wis.

Very Rev. Father proto,

Since at yesterday's meeting of the Diocesan Plenum you agreed with the statement of Very Rev. Firmilian that he does not recognize me any more as his bishop, you resigned as member of the Ecclesiastical Court and as member of the Diocesan Council, which was registered in the minutes. Your resignations are accepted. You broke any further cooperation with us!

In connection with this we inform you, that we relieve you of the duty of our Episcopal vicar of the Midwest Vicariate of the Serbian Orthodox American Canadian Diocese.

You send us the archives of the Vicariate.

Thanking you for your cooperation, which was until your reorientation was fruitful and constructive, and wishing you every good from God,

With blessings
Serbian Orthodox
American Canadian Bishop
+ Dionisije

(photocopy certification omitted)

PLAINTIFFS' EXHIBIT 88

Bishop Dionisije:

1. THE DIOCESAN CHURCH-NATIONAL ASSEMBLY

IT WILL BE HELD AS SUMMONED. Agitation has begun against the Church-National Assembly. Even earlier this group: Djujich-Djotich's Zbor-Tito's agents have released the news, how even the Assembly itself was not legally called. Especially prominent, there is our American administrative triumvirate, among whom most of all is archimandrite Firmilian. They say this assembly is illegal

because the summons for the same was not signed by the Bishop nor by his surrogate. Relative to that they are urging the church congregations not to send delegates to the Assembly, to boycott the Assembly so that the same would not be held in order for them to be able afterward to hold their Assembly! Because at this Assembly will be decided precisely that question: the recognition or non-recognition of the decisions of the Holy Assembly and Synod of Bishops, that is, of the communistic regime through the religious Commission. And from the people's disposition as it now stands, it is obvious that those decisions could even be unrecognized, that is, rejected. That is why they hurried to proclaim our Church-National Assembly as illegal.

The Facts in connection with the Assembly are these:

The first summons for the Assembly in April of this year I did sign as Bishop on the basis of the Constitution and decision of the Diocesan Plenum of February of this year. That Assembly was scheduled for the month of October. However, because of disruptions in the life of this Diocese caused by the decisions from Belgrade, the Diocesan Plenum at its new meeting of June 6th of this year rendered a decision to move the date of the holding of the Assembly in order for conditions in the Diocese to be normalized as soon as possible. Because I did not sign that second summons, and I could have since I have not surrendered my administration, does not change matters. Even the secretary of the Diocese could have signed this decision of the Diocesan Plenum, or yet even the vice-presidents of the Diocesan Council, who are authorized in every case, when the Bishop as president is prevented from presiding over the Council. For this reason the summons of the Assembly for the month of August is legal, entirely legal, and all church-school congregations are invited to send their dele-

gates to the same. Archimandrite Firmilian was present at the meeting of the Diocesan Plenum, who himself voted for the moving of the date from October to August. Why does he now renounce the legality of the Assembly! Why does he fear the Assembly as also do all of his helpers.

On the basis of the Diocesan Constitution, Art. 36, point 4 and Art. 24, the Diocesan Council is authorized for summoning the Assembly and for compiling the Agenda for the Assembly. Therefore let the church-school congregations not pay attention to these fabricated criticisms against the Assembly, but rather let them send their delegates to the same, so that this painful question can be quickly resolved and the Diocese again resume its normal flow of work.

Since there is not a single clause in the Diocesan Constitution which foresees any kind of quorum for the holding of an Assembly, the Assembly will be held with as many priests and delegates as there are present. Those church congregations which do not send delegates will be considered to be in agreement with the rendered decisions of the Assembly. This Assembly will be presided over by the presidium which is elected at the Assembly. I have not surrendered my duties; I could preside over the Assembly, but I will leave that to the people—the delegates to decide what they think is best for the interests of our Holy Church and Diocese.

2. THE PROCOMMUNISTIC METHOD OF INVESTIGATION BY BISHOP VISARION OF BANAT AND BISHOP HRIZOSTOM OF BRANICHEVO.

In the conviction that the investigation against me would proceed in a lawful and canonical manner, the Diocesan Plenum asked for an Investigating Commission which would, before our Church National Assembly, investigate all the charges and this question would be removed from

the Agenda. The Holy Synod immediately sent a Commission which had as its main purpose, as written in Belgrade's "Politika," to consecrate and install Bishop Lastavica, to help in the struggle against us the elements over here, and then afterwards to investigate the charges. And the judgment against me was rendered yet in Belgrade, and now the only form is being sought how to legalize it!

And the Commission arrived June 28, when our congresses begin, when King Peter II is already in America.

The Commission received first information from the Yugoslav communistic consul in New York, with whom it had a conference of 45 minutes at the airport. Then it turned to those persons who were leading and are leading the fight against me, it attempted to gather some information from the episcopal Bishop Scaife, and only then on the 5th of July it came to the Monastery, that is, to a meeting with me "for the investigation"! I was unable to receive the Commission at the Monastery. There were several priests and members of the Diocesan Executive Board and Church Court with me. We held talks in a nearby restaurant. The talks were overseen by Bishop Visarion even though younger by consecration, but he is a "regime man," and Bishop Hrizostom kept the minutes.

The Commission elected (to conduct the talks) by way of minutes and a hearing, while I sought that the complaint material be submitted to me in transcription so that I could reply to it in writing. The Commission did not accept this, upon which I declared that I will not reply orally, concerning which I also submitted to the Commission a letter of mine. I also declared that I will not even sign the minutes. The Commission then stated that, nevertheless, there is plenty of material against me—and it left—to Milwaukee, where it issued the next day a COMMUNICATION in which the facts were inaccurately brought out, but

it is stated that everything that I have written in my defense serves as proof of guilt and that this calls for the greatest punishment: defrocking of episcopal rank and excommunication from the religious community! Such a decision was already rendered yet in Belgrade with which the Commission came! It is necessary for Tito's regime that I be in some way rendered helpless, and to kill me.

Why was the Commission afraid to submit to me in transcription the charges and submissions in accordance with article 67 of the Penal Code?! Because many of the charges are pure fabrications, and the accusers are afraid that I will sue them in civil court, for them to prove that which they have written. Many of the accusers have renounced their complaints or have withdrawn the same. At the airport this was discussed between Tito's communistic consul and the Commission, and the members of the Commission in several places expressed the fear of revealing the names of the accusers, because they might withdraw their charges and complaints or renounce them, and then the entire matter would collapse.

The Commission endeavored in every way to complete the first and main part of its mission, to consecrate Archpriest Lastavica as a Bishop in order to place American and Canadian Serbdom before an accomplished act.

Relative to the investigation itself, which the Commission itself cut off with the statement that a Bishop-prosecutor will be selected who will prepare the indictment against me. However in its COMMUNICATION the Commission stated that orders should not be obeyed issued by me or on the part of the Diocese, but only those which are issued by the administrators. By this the Commission violated the rights of the Diocesan Council and Church Court, in other words DISMISSED THEM, since it needed to impose its decisions and their decrees from Belgrade. No one has the

right, nor had the right to dissolve the Diocesan Council and Church Court and the remaining diocesan bodies and organs, since these are elected, except the Court, at the Church-National Assemblies and their mandate lasts from Assembly to Assembly! I have complained to the Holy Synod about the work of this Commission.

COMPLAINT AGAINST THE INVESTIGATING COMMISSION

"The Holy Synod of Bishops of the Serbian Orthodox Church,
Belgrade, Yugoslavia.

Your Holiness,

I hereby submit a complaint against the work of the sent INVESTIGATING COMMISSION, whose coming was announced to me by Act of the Holy Synod of Bishops number 1986/min. 265 of June 13th of this year, which did not in any way adhere to the given authorization and directions of the mentioned Act "to conduct proceedings, to investigate the matter and conduct necessary hearings of the accused and witnesses, as also to conduct the collection of evidence and concerning their findings to submit a report with all related documents to the Holy Synod of Bishops for further competent proceedings."

Their Graces Bishops Hrizostom and Visarion informed me by their letter of June 30 of their coming, although they arrived June 28, and sought to be received on July 5 at St. Sava Monastery. Having learned that this Commission arrived, I issued my communication, here enclosed, seeking on the basis of article 67 of the Penal Code, that I be sent in transcription all written statements, that is, private complaints, so that according to them I may write

my written explanation and hearing. The Commission did not do this.

Out of brotherly considerations towards my brother Bishops I agreed to receive them, but not at St. Sava Monastery because this was not possible for me, but rather at another place, in a restaurant, figuring that we would also have dinner there. I here mention that H.M. King Peter was here on a visit and that I was in no way able to receive the Commission at the Monastery where the King was on a visit the day before.

In the beginning of our talks I submitted to the Commission a letter, the copy of which I enclose, declaring that I do not agree to oral hearings, because I must know who is accusing me and why I am being accused! Your Commission avoided this, concealing the accusers and the complaint material. His Grace Visarion conducted the talks in behalf of the Commission. When I, in the very beginning, when His Grace Hrizostom began recording the minutes, stated that I seek that all questions be submitted to me in writing, that is, the complaint material, I also stated that I will not respond like this orally, nor will I sign the minutes. The only thing that I declared is that I stand by my statements concerning the decisions of the Holy Assembly of Bishops and Synod, which I consider that I had the right and duty to do in my own defense, which no one can deny me.

Instead of giving to me the complaint material in transcription, the Commission ended the investigation, and His Grace Visarion stated that there is nothing more here to be heard since the accused acknowledged as his own all those declarations, which are adequate for the deciding of this case. When I asked him what is the next procedure, he said: The Holy Synod of Bishops will appoint a Bishop as

the Church court prosecutor, who will prepare the indictment and forward it for a reply.

After that, the Investigating Commission in Milwaukee on the next day, July 6, issued the enclosed COMMUNICATION, in which it distorts the facts and in which it claims: that Bishop Dionisije trampled on his episcopal oath, which, they say, has been completely established, that he renounced obedience to higher ecclesiastical authorities, and, besides all others, committed offenses according to articles 10, 15 and 17 of the Rules and Procedures for Ecclesiastical Courts of the Serbian Orthodox Church, which offenses invoke with them the severest ecclesiastical penalty—defrocking of the episcopal rank and excommunication from the church community—and therefore they call upon all church-school congregations, all clergy and all faithful sons and daughters of the orthodox dioceses— the Mid-American, the Eastern American-Canadian and the Western American—not to be subject unto Bishop Dionisije in anything, but rather to be subject unto the temporary administrators: Archimandrite Firmilian, Archimandrite Udicki and Protosyngelos Stefan, who shall conduct all church matters in accordance with the effective church rules and canons.

Your Investigating Commission mentioned the request to the Holy Synod of Bishops, that a Commission be sent; it mentioned that it came upon invitation of the Diocesan Plenum, but it paid no heed to the decisions of the Plenum, nor either to the already scheduled and called Church National Assembly, but rather like with force, wishes to impose your appointed administrators of Your three named dioceses. Your new administrators are issuing orders that the Church-National Assembly be boycotted, that congregations not send delegates to the same, nor for the clergy to come, threatening that every one who does not obey

will be defrocked! Is that the road to peace and of calming the spirits of this Diocese? For is that any way to impose upon these people that, which we positively know, is being imposed upon our Church in Yugoslavia by the regime? You are sinning before God Your Holiness!

Your Investigating Commission already in advance pronounces sentence over me, threatens by defrocking of episcopal rank and excommunication from the Church community! Have I deserved that from my native-country Church after 37 years of my priestly-monastic and episcopal work and many endured sacrifices? And what is gained here by that? A greater revolt against our Patriarchate and Your Holiness. There are already congregations here which are throwing out their priests, and there are more than half of the colonies which seek separation from the Patriarchate. I can no longer calm that, I cannot prevent it, and Your Holiness together with this Commission will bear the responsibility for this which inevitably is coming, if this Commission is not recalled and these decisions of the Holy Assembly of Bishops and Synod.

Since the Synodal Commission has published this COMMUNICATION, then I am also publishing this Act directed to Your Holiness for our people's information.

I declare that no one ever can excommunicate me from the community of Christ's Holy Church, and no one ever can separate me from Christ the Saviour at the Holy Serbian Orthodox Church of which Your Holiness is momentarily at the head. And the time will come, I trust in God, that You will be paid for all this as you deserve, that you receive together with the Holy Assembly of Bishops and Synod, as with this Investigating Commission, that which you deserve by God's justice.

A copy of this Act was sent to the Investigating Commission, as well as to all the clergy of the Serbian Ortho-

dox American-Canadian Diocese, and to the people.—Your Holiness' brother in Christ, Serbian Orthodox American-Canadian Bishop Dionisije."

DEMAND FOR CHARGES IN TRANSCRIPTION FROM THE INVESTIGATING COMMISSION

"Their Grace's Bishop Hrizostom of Branichevo and Bishop Visarion of Banat: Your Graces,

"The Act of the Holy Synod of Bishops number 1986/min.265 of June 13, of this year, by which I am informed that you are coming to America, among other things says: that the appointed bishops 'travel to the USA and in accordance with articles 67 and 90 of the Rules and Procedures for Ecclesiastical Courts, investigate the matter and conduct necessary hearings of the accused and witnesses, as also to conduct the gathering of evidence, and of the findings submit a report with all related documents to the Holy Synod of Bishops for further competent procedure.' Article 67 of the Procedures in the last paragraph expressly says: 'Insofar as it exists, a copy of the written complaint may be sent to the accused, respectively, of the private complaint, so that he himself may reply in writing by his written explanation and hearing.' Since your Graces have taken as a beginning only my hearing for recording in minutes, and thereby, since I had to reject as inadequate such a hearing, seeking communications, charges and complaints against me in writing, you immediately the next day issued your COMMUNICATION by which, as if though the procedure was completed, you have pronounced sentence upon me. Accordingly, Your Graces are intentionally avoiding to send to me the charges, complaints, etc., for a written reply. In so doing you are trampling the fundamental right of every man, and even mine, by not giving me either time nor opportunity to reply, to defend myself,

and for me to finally learn: who are my accusers and of what I am being accused. Because of that, not fleeing from a hearing and responsibility, I categorically demand in accordance with Article 67 of the Rules and Procedures for Ecclesiastical Courts, that the complaints, rather the private complaints, be forwarded to me in transcript, that I may give my written reply also, my explanation and hearing. Following this would come the question of examining witnesses.

"I believed that you will not commit such a great injustice which you are otherwise committing towards me, and that you would give that to me on the occasion of our first meeting. Your Graces did not do that, for it seems that the judgement was already rendered in Belgrade in the 'Religious Commission,' so everything needs to be completed by one attack!!! In this land of order and law, which isn't the case in present-day Yugoslavia, such a procedure is considered illegal. Therefore I demand that you proceed in accordance with Article 67, last paragraph, as it is mentioned in the Act of the Holy Synod of Bishops. In the event that Your Graces do not do so, I will avail myself of my legal rights as an American citizen to defend myself against such an investigating commission.

"In anticipation of your further lawful proceedings, and this first one was unlawful in every way, Your Graces' brother in Christ,—American-Canadian Bishop Dionisije."

BISHOP DIONISIJE

.....

prepared for publication July 15, 1963
St. Sava Monastery
Libertyville, Illinois.

(translator's certification omitted)

Certificate Number 11624

BOOK 477 PAGE 1

STATE OF ILLINOIS

OFFICE OF

THE SECRETARY OF STATE

PLAINTIFF'S EXHIBIT 9½
FOR IDENTIFICATION

To all to whom these Presents Shall Come, Greeting:

Whereas, a CERTIFICATE, duly signed and acknowledged, has been filed in the Office of the Secretary of State, on the 8th day of September A.D. 1927 for the organization of the

SERBIAN EASTERN ORTHODOX DIOCESE COUNCIL FOR UNITED STATES AND CANADA

under, and in accordance with the provisions of "AN ACT CONCERNING CORPORATIONS" approved April 18, 1872 and in force July 1, 1872 and all acts amendatory thereof, a copy of which certificate is hereto attached;

Now, Therefore, I, LOUIS L. EMMERSON, Secretary of State of the State of Illinois, by virtue of the powers and duties vested in me by law, do hereby certify that the said

SERBIAN EASTERN ORTHODOX DIOCESE COUNCIL FOR UNITED STATES AND CANADA

is a legally organized Corporation under the laws of this State.

In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois. Done at the City of Springfield, this 8th day of September A.D. 19 27 and of the Independence of the United States the one hundred and 52nd.

Louis L. Emmerson

SECRETARY OF STATE.

EXHIBIT A

September 7, 1927

Hon. Louis L. Emmerson,
Secretary of State,
Springfield, Illinois

IN RE: Serbian Eastern Orthodox Diocese
Council for United States and Canada

Dear Mr. Emmerson:

Referring to your letter of June 27th submitting certificate of application for charter named above.

This is to advise that investigation has been made and the proposed work meets with the approval of this department.

Certificate is returned herewith, together with check for $10.00 to cover incorporation fee.

Your very truly,
DEPARTMENT OF PUBLIC WELFARE
By: *Roy James Battis*
Superintendent of Child Welfare

ZR

STATE OF ILLINOIS,)
) ss.
COOK COUNTY,)

PAID SEPT. 8, 1927
$10.00 F.T. FEE $10

To LOUIS L. EMMERSON, Secretary of State:

We, the undersigned Lazar W. Saric, Sam Vujnovich, Tomo Martinovich, George Palandech, Eli N. Pochucha, citizens of the United States, propose to form a corporation under an Act of the General Assembly of the State of Illinois, entitled, "An Act concerning Corporations," approved April 18, 1872, and all acts amendatory thereof; and for the purpose of such organization we hereby state as follows, to-wit:

1. The name of such corporation is SERBIAN EASTERN ORTHODOX DIOCESE COUNCIL FOR UNITED STATES AND CANADA.

2. The object for which it is formed is to maintain a home for orphans and/or dependent children and to provide for their maintenance and education, and to maintain a Monastery of the Serbian Eastern Orthodox Church for United States and Canada.

3. The management of the aforesaid COUNCIL shall be vested in a board of Twenty-Three (23) Trustees.

4. The following persons are hereby selected as the Trustees to control and manage said corporation for the first year of its corporate existence, viz.:

NAME	Address	
George Palandech	536 S. Clark Street	Chicago, Illinois
Rev. A. Popovitch	4021 Elm Street	Indiana Harbor, Ind.
Rev. John Krajnovitch	907 Broad Street	Johnstown, Pa.
Rev. Dusan Trbuhovitch	1005 East Kirby Ave.	Detroit, Michigan
Rev. S. Balaban	1408 S. 11th Street	St. Louis, Mo.
Rev. Z. Ristanovitch	50 S. Bethany Street	Kansas City, Kan.
Ivan Vucetich	2251 Irving Park Blvd.	Chicago, Illinois
Rade Lazarevitch	1113 N. Lawler Street	Chicago, Illinois
Lazar Saritch	3448 Guthrie Street	Indiana Harbor, Ind.
Simo Vujnovitch	3802 Hemlock Street	Indiana Harbor, Ind.
Ilija Pochucha	9858 Commercial Ave.	So. Chicago, Ill.
Simo Shakota	3756 West Division St.	Chicago, Illinois
Trivo Bjelajac	498 Clinton Street	Milwaukee, Wis.
Savo Pavlica	401 North Lawn Street	Kansas City, Kan.
Milos Savorolac	6507 St. Aubin Ave.	Detroit, Michigan
Mike Rebich	c/c Rev. Smiljanich 789 Franklin Avenue	Woodlawn, Pa.
George Kovacevitch	1912 S. 12th Blvd.	St. Louis, Mo.
Kosta Ellesin	c/o George Ellesin 521 Lafayette Building	Detroit, Michigan
Tomo Martinovitch	731 Van Buren Street	Gary, Indiana
Simo Vrlinich	524 4th Avenue	Pittsburgh, Pa.
Janko Vukobratovitch	907 Broad Street	Johnstown, Pa.
M. I. Pupin	1 West 72nd Street	New York, N.Y.
Rt.Rev. Bishop Mardary	Hotel Ambasador 1300 North State St.	Chicago, Illinois.

BOOK 477 PAGE 5

STATE OF ILLINOIS, COOK County, } ss.

I, Dumas V. McFall, a Notary Public in and for the County and State aforesaid, do hereby certify that on this 17th day of June, A. D. 19 27, personally appeared before me Lazar N. Saric, Sam Vujnovich, Tomo Martinovich, George Palandech and Eli N. Pochucha

to me personally known to be the same persons who executed the foregoing certificate, and severally acknowledged that they had executed the same for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

(Seal Here) (SEAL)

Dumas V. McFall
Notary Public.

STATE OF ILLINOIS } SS.
COOK COUNTY }
FILED FOR RECORD

1927 SEP 10 AM 9 57

9773859

AND RECORDED IN BOOK 477 PAGE 5
RECORDER
Joseph F. Haas

FILED
SEP - 8 1927
Louis L. Emmerson
SEC'Y. OF STATE.

State of Illinois } ss. No. 500794
Cook County }
Filed for record AUG 23 A. D. 19 27 at 11:00 o'clock A. M. and duly recorded in Book 2 of Charters on Page 271
Howard C. Lee
Recorder

CERTIFICATE

...The Constitution provides that all ...rst—The Constitution provides that all ...ba...be paid in advance into the State ...ry."
...10 00.
...s all societies, corporations and associa... not for pecuniary profit, hereafter organ... under the laws of the State of Illinois shall ... the Secretary of State before they shall ... a certificate of incorporation, a fee of ...

...ec. 101, p. 1325, Hurd's Revised ... Statutes of Illinois.

CORPORATION DEPT.
SEP - 8 1927
COMPARED BY
XV and JP

Fee Page Not to be Recorded
By Helen McFall
Date 9/10/27 192-